



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 3, 2002
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P. 9

A communication from the City Manager requesting that City Council convene in a Closed Meeting to discuss disposition of publicly-owned property, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

P. 10

Briefing with regard to Southeast by Design, a housing update. (15 minutes)
(To be conducted following the meeting with Congressman Goodlatte.)

P. 11

Briefing with regard to youth initiatives. (15 minutes)
(To be conducted following the meeting with Congressman Goodlatte.)

P. 12

THE MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR A JOINT MEETING OF COUNCIL AND CONGRESSMAN BOB GOODLATTE.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 3, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Maurice D. Diggs, Worship Ministries Pastor, Parkway Wesleyan Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 5, 2002, at 7:00 p.m., and Saturday, September 7, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring September 12 – 14, 2002 as United Way – Days of Caring. P. 13

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of City Council held on Monday, November 6, 2000; 2002-03 Fiscal Year Budget Study Sessions of City Council held on Thursday, May 9, 2002 and Friday, May 10, 2002; and the regular meeting of City Council held on Monday, July 15, 2002. P. 14;
P. 54;
P. 75

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Will Trinkle tendering his resignation as a member of the Roanoke Arts Commission. P. 121

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

- C-3 Qualification of the following persons:

Cheryl D. Evans as a member of the Youth Services Citizen Board for a term ending May 31, 2003;

Anne F. Harmon as a member of the City of Roanoke Transportation Safety Commission for a term ending October 31, 2004; and

Barry W. Baird as a member of the Virginia Western Community College, Board of Directors, for a term ending June 30, 2006.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

Appointment of a Trustee to the Roanoke City School Board to fill the unexpired term of William E. Skeen, resigned, ending June 30, 2005. Applicants are:

Edna Crabbere
David M. Dabay
John W. Elliott, Jr.
Lewis P. Grogan
William H. Lindsey
Michael W. Ridenhour

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Alton F. Knighton, Jr., Attorney, representing the Industrial Development Authority of Craig County, requesting adoption of a measure approving issuance of bonds by the Industrial Development Authority of Craig County, Virginia, for the benefit of the YMCA of Roanoke Valley, Inc., in the amount of \$9.8 million to construct, renovate and equip two facilities, respectively, to be located in the City of Roanoke and in the City of Salem.

P. 122; R. 134

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending approval of revised guidelines for the Percent-for-Art Program. P. 136;
R. 144
2. A communication recommending appropriation of \$1 million, in connection with relocation of the Roanoke City Public School Transportation Facility, located adjacent to the Public Works Service Center on Courtland Avenue, N. W. P. 145;
B/O 148
3. A communication recommending acceptance of the bid submitted by John T. Morgan Sheet Metal Co., Inc., in connection with re-roofing the Mechanical Room on the fourth and fifth floors of the Noel C. Taylor Municipal Building, in the amount of \$125,893.00. P. 150;
O. 153
4. A communication recommending renewal of the contract with Delta Dental Plan of Virginia, to provide dental insurance for government and school employees, effective January 1, 2003. P. 155;
R. 157
5. A communication recommending amendment to the contract with Robinson Pipe Cleaning Co. to remove, transport and dispose of digested lagooned bio-solids from the City's Water Pollution Control Plant, for an additional one-year term, from October 1, 2002 – September 30, 2003. P. 158;
O. 160

b. DIRECTOR OF FINANCE:

1. Financial report for the month of July 2002. P. 161

7. REPORTS OF COMMITTEES:

- a. A communication from the Roanoke City School Board requesting that Council issue General Obligation Qualified Zone Academy Bonds, in a principle amount not to exceed \$800,000.00, to finance rehabilitation of the present school building at Lincoln Terrace Elementary School. Richard A. Kelley, Assistant Superintendent of Operations, Roanoke City Public Schools. Spokesperson. P. 179;
R. 182

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on Saturday, December 7, 2002, in Salt Lake City, Utah. R. 184

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.
- c. Expiration of the two year terms of office of William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Troy A. Harmon, Municipal Auditor; and Mary F. Parker, City Clerk on September 30, 2002.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

**MOTION AND CERTIFICATION
WITH RESPECT TO
CLOSED MEETING**

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.
2. Roll call vote included in Council's minutes is required.
3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.



**CITY OF ROANOKE
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

RALPH K. SMITH
Mayor

September 3, 2002

The Honorable Vice-Mayor and
Members of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

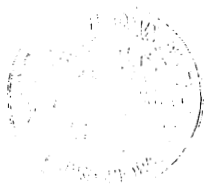
I would like to request a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph K. Smith", is written over a horizontal line.

Ralph K. Smith
Mayor

RKS:sm



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

September 3, 2002

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to discuss the disposition of publicly-owned property pursuant to §2.2-3711.A.3, Code of Virginia (1950), as amended.

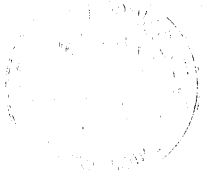
Sincerely,

A handwritten signature in black ink, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB/f

cc: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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215 Church Avenue, S.W., Room 364
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CityWeb: www.roanokegov.com

September 3, 2002

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Housing Update – Southeast
By Design

This is to request space on Council's regular agenda for a 15-minute briefing on the above referenced subject.

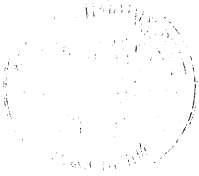
Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham", is positioned above the printed name.

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk



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September 3, 2002

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Update on Youth Initiative

This is to request space on Council's regular agenda for a 15-minute briefing on the above referenced subject.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham", is written over a horizontal line.

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk

Office of the Mayor

CITY OF  ROANOKE

Proclamation

WHEREAS, *United Way has been helping people in the Roanoke Valley since 1924; and*

WHEREAS, *United Way of Roanoke Valley presently funds more than 80 health and human service programs throughout the area, ranging from child care and counseling to education and prevention programs; and*

WHEREAS, *each year, United Way's Community Care Fund helps more than 80,000 people in the Cities of Roanoke and Salem, the Town of Vinton and the Counties of Botetourt, Craig and Roanoke by monitoring the results of United Way programs to ensure that a measurable difference is made in the community; and*

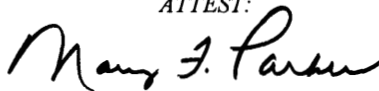
WHEREAS, *Thursday, September 12, 2002, marks the official kickoff date of the United Way of Roanoke Valley 2002 Campaign to call attention to a three-day, community event in which volunteers perform services at area United Way-supported agencies.*

NOW, THEREFORE, I, *Ralph K. Smith, Mayor of the City of Roanoke, Virginia, in recognition and support of United Way, do hereby proclaim September 12 - 14, 2002, throughout this great All-America City, as*

UNITED WAY - DAYS OF CARING.

Given under our hands and the Seal of the City of Roanoke this third day of September in the year two thousand and two.

ATTEST:



Mary F. Parker
City Clerk



Ralph K. Smith
Mayor

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

November 6, 2000

12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, November 6, 2000, at 12:15 p.m., the regular meeting hour, in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Rule 1, Regular Meetings, of Section 2-15, Rules of Procedure, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 34905-070300 adopted by the Council on Monday, July 3, 2000.

PRESENT: Council Members William H. Carder, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, and Mayor Ralph K. Smith-----6.

ABSENT: Council Member C. Nelson Harris-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Deputy City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Deputy Director of Finance; and Mary F. Parker, City Clerk.

At 12:17 p.m., the Mayor declared the meeting in recess.

COUNCIL-SCHOOLS: At 12:45 p. m., Council Members arrived at the Huff Lane Micro Village, 4412 Huff Lane, N. W., where they were greeted by students.

Following lunch, students participated in a mock City Council meeting and a video was presented explaining the concept of the Huff Lane Micro Village program.

Following the video, Council Members and Council-Appointed Officers were divided into groups of three for tours of the school, and students called attention to needed improvements within the building proper and on school grounds and playground areas.

The Members of Council left the Huff Lane Micro Village at 1:50 p. m., en route to the Roanoke Civic Center Exhibit Hall, for a work session on reorganizing the City's authorities, boards, commissions and committees.

At 2:15 p.m., on Monday, November 6, 2000, the regular meeting of City Council reconvened in the Exhibit Hall of the Roanoke Civic Center, 710 Williamson Road, N. E., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William H. Carder, C. Nelson Harris (arrived late), W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Deputy City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

COUNCIL-COMMITTEES: A joint communication from the City Manager and the City Clerk advising that Council appoints approximately 350 persons to the City's 78 authorities, boards, commissions and committees. Information was provided setting forth the titles of the various committees; Chapter 2, Article XIV, Authorities, Boards, Commissions and Committees, Generally, Code of the City of Roanoke (1979), as amended; and a survey of other municipalities comparable in size to the City of Roanoke with regard to their committee appointment structure.

At this point, Council Member Harris entered the meeting.

The following is a summary of the remarks of Council Members:

Certain committees should be consolidated and total membership decreased where possible.

Only City residents should be eligible for appointment to City Council Appointed Committees.

There should be a limitation on the number of committees that a person may be appointed to.

There should be a systematic approach to evaluating the appointment/reappointment process.

There should be a more detailed approach to appointments to certain committees, similar to the process used for appointment of Roanoke City School Board Trustees.

Members of the City Planning Commission should receive a stipend for their service.

Council should review the policy for City Council liaison membership on certain committees.

Newly appointed committees should have a sunset provision incorporated into the appointment motion.

Diversity should be represented on all committees.

(No action was taken.)

At 2:50 p.m., the Mayor declared the meeting in recess to be reconvened at 3:00 p.m., in the Exhibit Hall of the Roanoke Civic Center.

At 3:00 p.m., on Monday, November 6, 2000, the regular meeting of City Council reconvened in the Exhibit Hall of the Roanoke Civic Center, 710 Williamson Road, N. E., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Deputy City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by The Reverend Jeff Wilson, Associate Pastor, Southview United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS

PROCLAMATIONS-HIGHER EDUCATION CENTER: The Mayor presented a proclamation declaring the week of November 12, 2000, as Roanoke Higher Education Center Week.

ACTS OF ACKNOWLEDGEMENT-TOTAL ACTION AGAINST POVERTY: On behalf of the Western Virginia Education Classic and the Total Action Against Poverty Board of Directors, Sherman Lea, Vice-President, expressed appreciation to the City of Roanoke for its assistance in helping to make the football game a success. He presented the Members of Council and the City Manager with a t-shirt in recognition of the event.

CITY ATTORNEY-CITY EMPLOYEES: The City Attorney introduced Elizabeth Dillon, Senior Assistant City Attorney, who assumed her official duties and responsibilities on Wednesday, November 1, 2000.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to four requests for a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest by the business in locating its facility in the City has been made; to discuss a matter with regard to a prospective business where no previous announcement of the interest by the business in locating its facility in the City has been made; to discuss a matter with regard to acquisition of real property for public purpose; and to discuss personnel matters with regard to vacancies on various authorities, boards, commissions and committees appointed by the Council.

MINUTES: Minutes of the public interviews of School Board applicants held on Tuesday, April 18, 2000, the regular meetings of City Council held on Monday, May 1, 2000, and Monday, May 15, 2000, the special meetings of City Council held on Monday, May 1, 2000, Saturday, May 9, 2000, and Wednesday, May 17, 2000, and the Roanoke City Council Personnel Committee meeting held on Friday, May 5, 2000, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Harris moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COUNCIL-ECONOMIC DEVELOPMENT: A report of the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest by the business in locating its facility in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended, was before the body.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest by the business in locating its facility in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COUNCIL-ECONOMIC DEVELOPMENT: A report of the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest by the business in locating its facility in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended, was before the body.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest by the business in locating its facility in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COUNCIL-PURCHASE/SALE OF PROPERTY: A report of the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to acquisition of real property for public purpose, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended, was before the body.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to acquisition of real property for public purpose, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

AIRPORT-TAXES: A joint report of the City Manager and the Director of Finance advising that the Roanoke Regional Airport Commission and administration have expressed concern regarding the loss of potential business due to the City of Roanoke's personal property tax rate on airplanes being higher than comparable localities; currently the City of Roanoke taxes airplanes at \$3.45 per \$100.00 of assessed value; and the tax rate is applied to 60 per cent of the assessed value the first year, reduced by 10 per cent per year until it reaches 20 per cent, where it remains on an annual basis, was before the body.

It was further advised that having airplanes based at the Roanoke Regional Airport creates opportunities for income generating business such as hangar rental, fuel sales and maintenance of airplanes; there are other positive economic impacts to having airplanes, particularly business jets, based at Roanoke's airport; it would serve as an incentive for Roanoke citizens and businesses to base their airplanes at the Roanoke Regional Airport if Roanoke's tax rate were comparable to that of competing localities in Virginia and North Carolina; consequently, tax revenue forgone due to a tax rate decrease would be mitigated and potentially increased over time by the increased number of private and business owned airplanes based at the airport; and according to the administration at the Roanoke Regional Airport, operators of major commercial airports in Virginia believe they will be successful with legislation to modify the State sales tax on airplanes, which is an issue they believe has a direct correlation with economic development throughout the State.

The City Manager and the Director of Finance recommended that the City's tax rate be reduced from the current rate of \$3.45 per \$100.00 of assessed value to \$1.06 per \$100.00 of assessed value. They advised that the total tax levy on airplanes for fiscal year 2000 was \$157,928.00, and using this revenue base as an example, the reduced tax rate would have generated \$109,405.00 less revenue; a single \$10 million business jet would generate \$63,600.00 in additional revenue during the first year of taxation if based at the airport; and it is believed that a reduction in the tax rate will demonstrate the City's willingness to take measures to help assure that its airport is competitive with other airports throughout the Commonwealth of Virginia and neighboring airports in the State of North Carolina.

It was further recommended that Council schedule a public hearing to consider reducing the personal property tax rate on aircraft from \$3.45 to \$1.06 per \$100.00 of assessed value.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the recommendation to hold a public hearing. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-TOWING ADVISORY BOARD: A communication from the City Clerk advising that at the Council meeting on Monday, October 16, 2000, Council appointed members of the Towing Advisory Board; Ordinance No. 34843-060500 adopted on June 5, 2000, provides that the terms of office shall be established by the Members of Council; therefore, the City Clerk proposed the following staggered terms of office for consideration by Council, was before the body.

Charles R. Brown	-	one year
William F. Clark	-	one year
Robert R. Young	-	two years
Christine Proffitt	-	two years
Sgt. Charles A. Karr	-	three years
Sgt. Patrick A. Shumate	-	three years
Ronald L. Wade	-	three years
Thomas Wood	-	three years
Mrs. Clovis Rogers	-	three years

It was advised that following completion of the initial terms of office, all reappointments will be for three year terms of office.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the communication. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-PARKS AND RECREATION: : A communication from Barry L. Thomas tendering his resignation as a member of the Mill Mountain Advisory Committee, effective immediately, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that the communication be received and filed, and that the resignation be accepted. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

FIRE DEPARTMENT-ROANOKE CIVIC CENTER-OATHS OF OFFICE-COMMITTEES: The following reports of qualification were before Council:

Mark K. Cathey and E. L. Noell as members of the Board of Fire Appeals for terms ending June 30, 2004; and

Thomas G. Powers, Jr., Edward L. Lambert and Calvin H. Johnson as members of the Roanoke Civic Center Commission for terms ending September 30, 2003.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Mr. Harris moved that the reports of qualification be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

ENVIRONMENTAL POLICY-ECONOMIC DEVELOPMENT: Collins Sherertz, Spokesperson, Antifreeze Recyclers, Inc., advised that his company offers a complete antifreeze service which is a good investment that saves taxpayer money and benefits the environment by providing free waste removal, regardless of whether the antifreeze was purchased from Antifreeze Recyclers, Inc., and the onsite recycling process eliminates hazardous waste and relieves liability of customers. He explained that Antifreeze Recyclers was established in 1992, pursuant to the Recycling Conservation and Recovery Act, it is the only on site antifreeze recycler licenced, regulated and recommended by the RCRA and the Environmental Protection Agency on the East Coast. He stated that General Motors and Ford Motors endorse and expressly authorize use of their production method of onsite recycling which is chemical filtration, meeting specifications of the American Society for Testing Materials. He advised that the coolant product is guaranteed to provide superior protection against freezing, over heating, rust and component failure and is completely free of common mineral deposits found in hard water. He called attention to current contracts with United Parcel Service, Piedmont Aviation, Langley Air Force Base, PYA Monarch, Cox Cable Communications and school bus garages in Virginia Beach, Norfolk, Portsmouth, Newport News, Hampton and Richmond. He advised that there are numerous government garages and local contractors operating in the City of Roanoke and services offered by Antifreeze Recyclers Inc., can effectively reduce the amount of funds spent on new antifreeze and waste removal, saving hundreds of tax dollars monthly in the Roanoke Valley.

Without objection by Council, the Mayor advised that the remarks of Mr. Sherertz would be received and filed.

VIRGINIA GAS PIPELINE: Brent Riley, Spokesperson, The Sensible Mountain Action Policy Coalition, requested that Council consider adopting a measure requesting an analysis of route options for the Virginia Gas pipeline, and that a letter of support be forwarded to the State Corporation Commission requesting that a public hearing be held in the Roanoke area. He advised that the issue of cost as related to how the pipeline is installed can have great significance on rates paid by citizens for natural gas. He explained that the project has been underway for quite some time, but the first knowledge by property owners was when they received a letter requesting the right to survey their property, and unbeknown to citizens, a process was already underway to acquire property by imminent domain. He stated that the routing of the pipeline is important to the citizens of Roanoke because it could pose a major environmental degradation to one of the Blue Ridge Mountain

lines just outside of the City of Roanoke, and there is major harm to property owners whose property is being compromised. He stated that all citizens should be stewards of the environment; and the project should be addressed in such a manner so as to be sensitive to the needs of property owners, to address energy needs and to eliminate problems with the environment and private property. He advised that when the taking of public property occurs for a profit endeavor, there should be an assurance that the need exists before proceeding.

Mr. Victor Layman, 5800 Enchanted Lane, S. W., Roanoke County, advised that the pipeline issue effects his family and many citizens in Roanoke City and surrounding Roanoke County. He stated that citizens did not know until approximately two months ago that a pipeline was coming through, which was many months after approval by the State Corporation Commission; therefore, there is major concern that many property owners were not aware of the pipeline, but they will be impacted in a significant way. He advised that the State Corporation Commission is in the process of deciding whether or not to approve the merger between Virginia Gas Pipeline and NUI Corporation and the merger is a large piece of the puzzle in putting the economies together. He explained that the State Corporation Commission has offered a window of opportunity until November 8, 2000, for citizens or governmental entities to request, in writing, that public hearings be held in the various localities; whereupon, he asked that Council request the State Corporation Commission to hold a public hearing in the Roanoke area to enable citizens to provide input and to be educated about the process.

Mr. William Modica, 2525 Brandon Avenue, S. W., called attention to two specific items involving the gas pipeline; viz: the concept of need and whether a gas pipeline is needed in the Roanoke area. He explained that a project assessment for Roanoke Gas Company allowed construction of two gas pipelines, however, to date only one pipeline has been constructed; therefore, there is still the option for an additional pipeline in the existing easement. Rather than utilize that opportunity, he explained that Virginia Gas Pipeline has requested a new easement of an additional 50 - 75 feet by cutting through the Roanoke Valley and Montgomery County to construct a completely separate pipeline. He stressed the fact that there is no need for a new easement because it is obvious that the existing easement could accommodate the pipeline requirement and more than adequately satisfy the need for additional gas in the Roanoke Valley. Secondly, he requested that Council consider the effect that a new easement cutting through the Roanoke Valley will have on property values, and advised that he has evaluated a number of real estate parcels that will be directly effected by the pipeline route, an additional easement would devalue the properties that are directly affected, and devaluation of the property would hurt property owners and the City's tax base. Therefore, he urged that Council consider that devaluation of the properties would mean loss of revenue

for the City of Roanoke, hamper the resale of properties and decrease tax revenue. He urged that Council go on record to the State Corporation Commission endorsing the placement of the new gas pipeline within the existing easement.

Mr. Albert Martin, 5985 Coleman Road, S. W., Roanoke County, advised that if the gas pipeline is constructed, over 100 trees on his property will be destroyed, 52 feet of a cement apron at the front of his property will be destroyed, and the easement will be within 35 - 40 feet of his house. He stated that if the pipeline is allowed to be constructed, big business will be walking over the average citizen.

Mr. Thomas Gustafson, 4269 Harborwood Road, Roanoke County, suggested that Council give consideration to the effect of the pipeline on gas rates which could conceivably increase. He explained that no cost analysis has been made to date and suggested that the City of Roanoke request Roanoke Gas Company, the NUI Corporation and Virginia Gas Pipeline to prepare a gas rates analysis.

Following discussion of the matter, Mr. Bestpitch moved that the City Manager be instructed to forward a letter to the State Corporation Commission requesting that a public hearing be held in the Roanoke area, and that the City Manager provide background information to ensure that all sides of the issue are addressed. The motion was seconded by Ms. Wyatt and adopted.

FIRE DEPARTMENT: Ms. Bernice Meador, 370 Koogler Drive, S. W., presented a petition signed by over 200 persons in support of keeping Fire Station No. 12 open, and inquired as to the status of fire station renovations.

Following discussion, it was the consensus of Council that the matter would be referred to the City Manager to respond to the inquiries of Ms. Meadow.

PETITIONS AND COMMUNICATIONS: None.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

CITY CODE-GENERAL SERVICES-BUDGET-CITY MANAGER-PROCUREMENT CODE: The City Manager submitted a written report advising that Section 2-121 of the City Code authorizes the City Manager to transfer funds, not exceeding \$25,000.00, within or between departments as specified in the annual appropriation ordinance and transfers in excess of \$25,000.00 must be approved by Council; the budget, which was adopted by Council as a part of the annual appropriation

ordinance for each fund provides funding at the departmental or division level; fund transfers are used to reallocate budgeted funding between departments and divisions to address unanticipated needs and do not impact the aggregate amount budgeted for each fund; in order to improve administrative efficiency, with respect to the reallocation of budgeted funds between departments, an amendment to Section 2-121 of the Code of the City of Roanoke (1979), as amended, is requested, to remove the \$25,000.00 limit for the transfer of funds and to allow fund transfers within each fund to be made without a financial limitation.

The City Manager recommended that Council amend Section 2-121 of the Code of the City of Roanoke (1979), as amended, to remove the \$25,000.00 limit on the transfer of funds and to allow fund transfers to be made within each fund without a financial limitation, and that Council be provided with a quarterly report of all transfers in excess of \$75,000.00.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35114-110600) AN ORDINANCE amending and reordaining §2-121, Authority to transfer funds, of Article V, City Manager, of Chapter 2, Administration, of the Code of the City of Roanoke (1979), as amended, to provide for the authorization of the City Manager to transfer funds; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 578.)

Mr. Harris moved the adoption of Ordinance No. 35114-110600. The motion was seconded by Mr. Bestpitch.

Mr. Hudson moved that Ordinance No. 35114-110600 be amended to provide for transfer of funds within each fund, up to a limit of \$75,000.00, with a quarterly report to Council. The motion was seconded by Mr. White.

Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., concurred in the amendment to the ordinance as offered by Mr. Hudson. He stated that under no circumstances should there be no cap on the City Manager's authority to transfer funds, and reports should be provided to Council with more frequency than on a quarterly basis.

Upon question, the Director of Finance advised that in his position, it is imperative to maintain a good working relationship with both City Council and the City Manager; therefore, with the provision that monies will be transferred within funds and with a quarterly report to Council, he could concur in the City Manager's recommendation. However, he stated that the matter is a policy decision that only Council can make.

The Municipal Auditor advised that the City's external auditor reviews every budget ordinance and every budget transfer annually. He stated that he could support the City Manager's recommendation given the review by the external auditor and the fact that extraordinary transfers would be provided to Council, in order to satisfy necessary public disclosure and to eliminate the paper work associated with small budget transfers by Council.

Vice-Mayor Carder advised that the City of Roanoke has a City Manager who is empowered to do a job, Council sets goals for the City of Roanoke and should continue to give the City Manager the tools to be effective in her job. He stated that Council should trust the City Manager to take the initiative to make things happen, but she should not be limited in her authority to manage the City, and there are sufficient checks and balances within the system.

Mr. White advised that improvements to administrative efficiencies are desirable. He stated that the previous threshold limit was \$25,000.00, numerous transfers have come before the Council in the last two to three years, and inquired as to the number of transfers in excess of \$75,000.00, the amount of administrative time involved, amount of Council time that could have been saved, and administrative efficiencies as a result of the proposed increase in threshold.

The amendment to Ordinance No. 35114-110600 was adopted.

Ordinance No. 35114-110600, as amended, was adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

CITY EMPLOYEES-POLICE DEPARTMENT-CITY CODE-CITY SHERIFF: The City Manager submitted a written report advising that the Virginia Department of Criminal Justice Services has recommended that the City enact an ordinance authorizing law enforcement officers to engage in off-duty employment which may occasionally require the use of their police powers in the performance of such employment; this requirement is based on Section 15.2-1712, Code of Virginia (1950), as amended; adoption of the ordinance will empower the Chief of Police and the Sheriff to promulgate administrative rules which apply to private duty police work within the City of Roanoke; an established hourly rate for off-duty work will be set by the Chief of Police and the Sheriff, with the private employer being billed for the hours and for FICA; and with adoption of the proposed ordinance, the City will utilize its existing payroll system and a separate earnings code to process the monies paid to the City for off duty police work which is not on the private employer's payroll.

It was further advised that currently, some police officers and Sheriff's deputies perform off-duty law enforcement work for private businesses on a cash payment basis for sporadic work with approval by their respective department; with introduction of the system, all personnel involved in police work off duty will be paid either through the private business' payroll or the City's payroll; for other than sporadic work, officers will be encouraged to utilize the outside employer's payroll; as in the current system, worker's compensation and liability issues will be addressed on a case-by-case basis; and when all salaries paid to police officers for off duty work are processed through a payroll system, requirements of the Department of Criminal Justice Services will be satisfied.

The City Manager recommended that Council add a new Section 23-7 to the Code of the City of Roanoke (1979), as amended, effective January 1, 2001, which will authorize the Chief of Police and the Sheriff to promulgate administrative rules that apply to off-duty work which may require the occasional use of police powers; and with adoption of the ordinance and dissemination of the appropriate written regulations, an improved system of internal control will be placed into operation.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson moved that the following ordinance be placed upon its first reading:

(#35115) AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by adding a new §23-7, Employment of Off-Duty Police Officers and Sheriff's Deputies, Article I, In General, of Chapter 23, Police, to confirm the existence of the law enforcement powers and authorities of police officers and deputy sheriffs during periods of off-duty employment; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 64, page 1.)

The motion was seconded by Mr. White.

Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., advised that law enforcement is necessary, and should be well trained, well paid and well supported financially.

He expressed concern that adoption of the above referenced ordinance could be seen as encouraging off duty work by police officers in direct competition with private security firms; and if police officers were paid adequately, there would be no need to engage in off duty jobs. He expressed further concern with regard to staff time involved in processing the payroll function through the City's Finance Department, and advised that the matter should have been the topic of a public hearing.

Ordinance No. 35115, on first reading, was adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUILDINGS/BUILDING DEPARTMENT: The City Manager submitted a written report advising that the original IBM Building was purchased from the Posner brothers with the intent of saving both time and money by remodeling the structure to create the new Police Building, Phase I; the building was originally designed for a third floor, which the Police Department needed for the square footage to accommodate half the space needs as recommended by Daniel C. Smith and Associates in their 1997 Long Range Facilities Master Plan; the City entered into a contractual agreement with Thor, Inc., in the amount of \$4,015,200.00 and 390 consecutive calendar days construction time; and four change orders have been approved administratively.

The City Manager recommended that she be authorized to execute Change Order No. 5, in the amount of \$31,252.00, to cover the cost of removing adhered paper and providing a new Duracap Gypcrete slab, plus seven consecutive calendar days of contract time.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35116-110600) AN ORDINANCE authorizing the City Manager's issuance of Change Order No. 5 to the City's contract with Thor, Incorporated, for removing the adhered paper from the roof and providing a new Duracap Gypcrete slab for the new Police Building; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 579.)

Mr. Harris moved the adoption of Ordinance No. 35116-110600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-WATER RESOURCES: The City Manager submitted a written report advising that the City of Roanoke was notified by the Commonwealth of Virginia Department of Health on May 2, 2000 that due to possible surface water influence Crystal Springs Reservoir could not be used as a water supply until the water was

treated for potential surface contaminants, which has caused a loss of three - four million gallons of water per day in the potable water supply of the City of Roanoke; on May 17, 2000, the City advertised for qualified engineering firms to provide professional services to design a water treatment facility for Crystal Springs; and the Selection Committee chose Wiley & Wilson, A Professional Corporation, as the most qualified for the project.

It was further advised that after negotiation with Wiley & Wilson, a full service contract for design, development of construction documents, and construction administration for a six million gallon per day (MGD) filtration plant for \$500,000.00 was determined; Wiley & Wilson has recommended that bids on the filter system be received prior to bidding the building and all related valves, piping and controls; filters come from the factory assembled in packages capable of filtering 500,000 gallons per day per filter unit; the project will require ten filter units with space for two additional units; and in pre-bidding the filter units, Wiley & Wilson advises that three months can be saved by placing a new filter plant in operation.

The City Manager recommended that she be authorized to execute a full services contract with Wiley & Wilson, A Professional Corporation, for the lump sum fee of \$500,000.00, with a project contingency of \$50,000.00, and that \$555,000.00 be appropriated from Water Fund Retained Earnings to a project account entitled, "Crystal Springs Filter Plant".

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35117-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Water Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 580.)

Mr. Harris moved the adoption of Ordinance No. 35117-110600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35118-110600) A RESOLUTION authorizing a contract with Wiley & Wilson, A Professional Corporation, for engineering services for the design, development of construction documents, construction administration, and related work for the Crystal Springs Filter Plant.

(For full text of Resolution, see Resolution Book No. 63, page 581.)

Mr. Harris moved the adoption of Resolution No. 35118-110600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-FIRE DEPARTMENT-GRANTS: The City Manager submitted a written report advising that the Fire Program Fund was established by the General Assembly in 1985; revenue to support the program is derived from a surcharge on all fire insurance premiums collected throughout the Commonwealth; program guidelines direct that Fire Program funds are non-supplanting and may not be used to replace existing local funding; and funds must be used in accordance with provisions established by the State Department of Fire Programs and may be used for fire service training, regional fire service training facilities, firefighting equipment/apparatus and personal protective clothing.

It was further advised that the City of Roanoke's allocation of \$137,061.41 was electronically transferred to the City Treasurer on October 10, 2000; Council approved funding for the Roanoke Valley Regional Fire/EMS Training Center, at a cost of \$837,845.00 on November 16, 1998; the City's portion of the annual debt service for the training center of \$60,000.00 will be repaid annually from Fire Program funds, and the balance of \$77,061.00 will be used for the following:

Fire suppression equipment - \$32,061.00

Training and development - \$10,000.00

Recruitment and development - \$5,000.00

Personal protective clothing - \$30,000.00

The City Manager recommended that Council accept funds from the Department of Fire Programs, in the amount of \$137,061.41, and authorize the Director of Finance to establish revenue estimates and appropriation accounts for procurement of materials and equipment for training and development and for fire suppression equipment.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35119-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 582.)

Mr. Harris moved the adoption of Ordinance No. 35119-110600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

TRAFFIC-INDUSTRIES-ECONOMIC DEVELOPMENT: The City Manager submitted a written report advising that the Commonwealth Transportation Board adopted a policy in 1986 to govern the use of industrial access funds, which indicate that \$300,000.00 in funding for eligible road construction is available from the State for a qualifying industry, as determined by the State, whose new investment is \$3 million; no local matching funds are required for the first \$300,000.00; up to \$150,000.00 in additional funding can be made available from the State for an additional investment of \$3 million, provided a dollar-for-dollar City match of up to \$150,000.00 is also provided; and other guidelines for industrial access indicate that the locality, at its own cost, must provide the right-of-way, adjust any existing utilities that might be affected by the project, and maintain the roadway after its completion.

It was further advised that where a locality desires to have an industrial access road constructed in anticipation of a commitment by a manufacturing, processing or other qualifying establishment to locate, such request can also be made, however, it will be necessary that the governing body guarantee to the Commonwealth Transportation Board that a bond or other acceptable security will be provided; such bond or security would cover the amount of the access funds received by the City since the funds are not yet justified by a qualifying industrial investment, with such investment to be determined by the Virginia Department of Transportation (VDOT); it is also necessary that the locality's resolution state that, should no establishment acceptable to the Commonwealth Transportation Board be constructed within the time limit of the bond, such bond shall be forfeited; if only partial qualifying investment occurs on appropriate site(s) within the time limit of the bond, proportional credit against the bond will be granted for that partial investment; and the time limit shall be five years from the date of approval by the Commonwealth Transportation Board.

It was explained that two undeveloped tracts of land at the Roanoke Centre for Industry and Technology (Tract B and Tract F) presently have no roadway access (Tract A is undeveloped and has existing access); a site grading and roadway extension contract has been prepared for Council's approval as a separate agenda item; the proposed extension of Blue Hills Drive is needed for access and could be constructed using up to \$450,000.00 in industrial access road funds; and any access funds received as a result of the request will replace part of the funds used to fund the proposed contract.

The City Manager recommended that she be authorized to file an application with VDOT for industrial access road funds up to \$450,000.00 for roadway construction to provide industrial access to Tracts B and F at the Roanoke Centre for Industry and Technology; to assure the Commonwealth Transportation Board that the City will, if such project is approved, provide adequate right-of-way, provide for adjustment of any utilities affected by construction and provide future maintenance of the roadway through other funding sources; and the City agrees to provide an appropriate security or bond, acceptable to and payable to VDOT, in the amount of the access funds received by the City for the road, which security may be exercised by VDOT in the event that a sufficient qualifying capital investment does not occur on Tracts B and F within five years of the Commonwealth Transportation Board's allocation of funds pursuant to the request.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following resolution:

(#35120-110600) A RESOLUTION authorizing the City Manager to make application to the Commonwealth of Virginia Department of Transportation (VDOT) for Industrial Access Road Funds up to \$450,000.00 for the roadway construction to provide industrial access to Tract B and Tract F in the Roanoke Centre for Industry and Technology for new corporate prospects and authorizing the execution of any required documentation on behalf of the City for acceptance of any such funds which may be awarded, including the provision of an appropriate security or bond to VDOT.

(For full text of Resolution, see Resolution Book No. 63, page 583.)

Mr. Hudson moved the adoption of Resolution No. 35120-110600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a written report advising that the Virginia Department of Criminal Justice Services (DCJS) is the administering agency for the Virginia Services, Training, Officers, Prosecution (V-STOP) Violence Against Women Program; V-STOP offers grant funds to successful applicants for activities which increase the apprehension, prosecution and adjudication of persons committing violent crimes against women; since 1999, a total of \$52,043.00 has been awarded by DCJS to staff to operate the Domestic Violence Unit; and the Roanoke Police Department employs a full-time DCJS grant-funded Domestic Violence Specialist whose primary responsibilities include linking victims to appropriate community services, assisting victims in court, assisting the Office of Commonwealth's Attorney in the adjudication of domestic cases, and building domestic violence database(s) for the Police Department.

It was further advised that on September 26, 2000, DCJS awarded the Roanoke Police Department \$4,500.00 to participate in an innovative Domestic Violence Training Program which will be held in Austin, Texas, on December 3-6, 2000; terms of the grant award provide that training expenses will be reimbursed by DCJS subsequent to training attendance; training will strengthen the multi-disciplinary team approach to combating violence against women; and the Domestic Violence Specialist, the Instructor for Domestic Violence at the Police Academy, and a prosecutor from the Commonwealth's Attorney's Office will attend the training.

The City Manager recommended that \$4,500.00 be appropriated to an account for Training and Development, as established by the Director of Finance, and that the revenue estimate be increased in an account to be established by the Director of Finance.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35121-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 585.)

Mr. Carder moved the adoption of Ordinance No. 35121-110600. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a written report advising that for fiscal year 2000, Congress has appropriated funds for continuation of the Local Law Enforcement Block Grants (LLEBG) Program to be administered by the Bureau of Justice Assistance, U. S. Department of Justice; the purpose of the program is to provide funds to units of local government to underwrite projects which reduce crime and improve public safety; and award of Federal funds is \$128,331.00, with a local match of \$14,259.00 for the period October 1, 2000, through September 30, 2002, which is the fifth year of funding under the program.

It was further advised that grant recipients are required to hold at least one public hearing on the proposed use of block grant funds prior to obligation of any funds received; the public hearing is conducted as a part of the City's annual January public hearing for the HUD Consolidated Plan; and also prior to obligation of funds received under the block grant program, award recipients must establish an advisory board that includes, at a minimum, representatives from the local law enforcement agency, the local prosecutors office, the local court system, the local public school system, and a local non-profit, educational religious, or community group active in crime prevention or drug use prevention or treatment.

The City Manager explained that the grant requires that the funds supplement, rather than supplant local monies; grant funds will be used for: (1) paying overtime to law enforcement officers for the purpose of increasing the number of hours worked by such personnel and (2) procuring equipment, training and other materials directly related to basic law enforcement functions; police bicycle patrol hours will be expanded through allocation of the funds; last year's grant funding provided over 3,764 hours of extra police patrol time directed at specific areas or neighborhoods; the grant requires that all funds be placed in an interest bearing account and based on interest earned during each of the past four years of funding, interest earnings of \$5,000.00 are anticipated for the grant; and the local cash match is \$14,259.00 and is available in the Police Department's State Asset Forfeiture Account.

The City Manager recommended that \$147,590.00 be appropriated to grant fund accounts to be established by the Director of Finance in the following amounts:

Police Overtime	\$118,059.00
FICA	\$ 9,031.00
Expendable Equipment (<\$5,000.00)	\$ 20,000.00
Training and Development	\$ <u>500.00</u>
	\$147,590.00

It was further recommended that revenue estimates be increased in accounts to be established by the Director of Finance, and that unexpended grant funds be allowed to draw interest in accordance with grant requirements.

(For full text, see report on file in the City Clerk's Office.)

Ms. Wyatt offered the following emergency budget ordinance:

(#35122-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 586.)

Ms. Wyatt moved the adoption of Ordinance No. 35122-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Ms. Wyatt offered the following resolution:

(#35123-110600) A RESOLUTION authorizing the acceptance of a certain Local Law Enforcement Block Grant from the United States Department of Justice – Bureau of Justice Assistance, and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 63, page 587.)

Ms. Wyatt moved the adoption of Resolution No. 35123-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

PUBLIC WORKS-SNOW REMOVAL: The City Manager submitted a written report advising that highway deicing salt is used for snow and ice removal on City streets; the Streets and Traffic Division, through its Snow and Ice Removal Account, will purchase the necessary deicing salt to have on hand and available for use as needed to address inclement weather problems; and four bid responses were received, with the lowest bid submitted by Cargill Salt Co., at a cost of \$44.90 per ton for 2000 tons of anticipated usage.

The City Manager recommended that Council authorize issuance of a purchase order for 2000 tons of highway deicing salt from Cargill Salt Co., at a cost of \$44.90 per ton.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following resolution:

(#35124-110600) A RESOLUTION accepting the bid of Cargill, Inc., Salt Division, for deicing salt, upon certain terms and conditions, and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; and rejecting all other bids made to the City for the work.

(For full text of Resolution, see Resolution Book No. 63, page 588.)

Mr. Hudson moved the adoption of Resolution No. 35124-110600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

FIRE DEPARTMENT-EQUIPMENT-CMERP: The City Manager submitted a written report advising that the Capital Maintenance and Equipment Replacement Program includes the replacement of one fire pumper/elevated water tower truck; funds for the unit are available in the Fleet Management Vehicular Replacement Account; in March, 2000, the City took delivery of a fire pumper with water tower which was appropriately bid and authorized for purchase by Council; and the unit was awarded to and provided by KME Fire Apparatus of Nesquehoning, Pennsylvania.

The City Manager recommended that Council authorize the purchase of one new fire pumper, with water tower, from KME Fire Apparatus in the original bid amount of \$388,770.00.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35125-110600) A RESOLUTION accepting the bid of KME Fire Apparatus for one (1) new Fire Pumper with Water Tower, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 63, page 589.)

Mr. Harris moved the adoption of Resolution No. 35125-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

FIRE DEPARTMENT-BUILDINGS/BUILDING DEPARTMENT-CITY SHERIFF-EQUIPMENT-CMERP: The City Manager submitted a written report advising that the Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need for replacement of nine full size automobiles for police service and three pick-up trucks for building services; one utility vehicle for the Water Department is designated in the Water Department operating budget; and the City Sheriff has also identified the need to replace two full size automobiles.

It was further advised that three bids were received, with the lowest bid for all units having been submitted by Magic City Motor Corp., which meets all required specifications, as follows:

Nine new full size automobiles for the Police Department at a unit cost of \$21,529.00. The extended total cost is \$193,761.00. Funds are available in Fleet Management, Account No. 017-440-2642-9010.

Two new full size automobiles for the Sheriff's Office, at a unit cost of \$21,529.00. The extended total cost is \$43,058.00. Funds are available in Sheriff's Department, Account No. 001-140-3310-9010.

Three new 3/4 ton pick-up trucks for the Building Department, at a unit cost of \$19,566.00. The total extended cost for the units is \$58,698.00. Funding is available in Fleet Management, Account No. 017-440-2642-9010.

One new mid size four-wheel drive utility vehicle for the Water Department, at a cost of \$28,621.00. Funds are available in Water Department, Account No. 002-510-2178-9010.

The City Manager recommended that Council award bids as above set forth, authorize issuance of purchase orders, for a total cost of \$324,138.00, and reject all other bids received by the City.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following resolution:

(#35126-110600) A RESOLUTION accepting bids made to the City for furnishing and delivering trucks and related equipment, upon certain terms and conditions; and rejecting all other bids made to the City.

(For full text of Resolution, see Resolution Book No. 63, page 589.)

Mr. Hudson moved the adoption of Resolution No. 35126-110600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-EQUIPMENT-CMERP: The City Manager submitted a written report advising that the Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to purchase 24 In-Car Video Systems to be used by the Police Department to record traffic stops, pursuits, surveillance situations and record calls when police officers are out of camera visibility range; cameras can also be used for videotaping the transportation of prisoners, crime and accident scenes; and bids were requested, with one response received from Mobile Vision Inc., which meets all required specifications, for a total cost of \$90,216.00 for 24 units.

The City Manager recommended that Council accept the bid of Mobile Vision, Inc., for 24 In-Car Video Systems, in the total amount of \$90,216.00, and appropriate funds from Capital Maintenance and Equipment Replacement Program to Police Department, Account No. 001-640-3113-2035.

(For full text, see report on file in the City Clerk's Office.)

Mr. White offered the following emergency budget ordinance:

(#35127-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 591.)

Mr. White moved the adoption of Ordinance No. 35127-110600. The motion was seconded by Mr. Hudson.

Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., applauded the City of Roanoke for purchasing video equipment which is long overdue; however, he stated that the City Manager should be instructed to enact a City policy mandating that the cameras be turned on by law enforcement.

Ordinance No. 35127-110600 was adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Mr. White offered the following resolution:

(#35128-110600) A RESOLUTION accepting the bid of Mobile Vision, Inc., for twenty-four (24) In-Car Video Systems, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 63, page 592.)

Mr. White moved the adoption of Resolution No. 35128-110600. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-HOUSING/AUTHORITY-HIGHER EDUCATION CENTER: The City Manager submitted a written report advising that at Council's August 7, 2000 meeting, Council authorized execution of Amendment No. 1 to the Greater Gainsboro Redevelopment Cooperation Agreement between the City of Roanoke and the Roanoke Redevelopment and Housing Authority; Amendment No. 1 authorized the Housing Authority to acquire three properties on Wells Avenue for an amount not to exceed \$300,000.00; the properties will be used for construction of a surface parking lot to serve businesses and visitors in the area; and since that time, the City and the Housing Authority have determined that Amendment No. 1 needs to be revised to more accurately reflect the scope of the project (the request in August was \$330,000.00 and of that amount, \$30,000.00 was approved for infrastructure improvements around the Higher Education Center).

It was further advised that proposed Amendment No. 1 has not been executed; in order to move the project forward, only properties identified by Official Tax Nos. 2013004 and 2013006 need to be acquired; properties to be conveyed to the City are identified as Lots 2 and 4, with the Housing Authority to retain the remaining property; and any savings realized in the acquisition will be returned to the City by the Housing Authority.

It was explained that revised Amendment No. 1 also establishes a new budget for acquisition of property upon which the public parking garage will be constructed; due to legal proceedings in the condemnation case of property located at 25 Shenandoah Avenue, the cost of Official Tax No. 2013605 has increased, therefore, the Housing Authority has requested that the original contract be amended to include the following:

Additional funding will need to be appropriated once the amounts are determined. For the parking garage site, the City agrees to provide the Housing Authority a sum up to the amount awarded by the court. Costs will include actual expenses for the removal of petroleum tanks, environmental remediation, testing, legal fees, demolition, site preparation and other acquisition costs including consultants. The City and the Housing Authority agrees that the budget amount of \$550,000.00, which was the limit that the City was obligated to pay and previously appropriated, may need to be increased.

The City Manager recommended that Council approve Revised Amendment No. 1 to the Greater Gainsboro Cooperation Agreement between the City of Roanoke and the Roanoke Redevelopment and Housing Authority, in the total amount of \$880,000.00.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35129-110600) A RESOLUTION authorizing execution of Revised Amendment No. 1 to the Greater Gainsboro Redevelopment Area Cooperation Agreement between the City of Roanoke and the Roanoke Redevelopment and Housing Authority, to provide for an increase in funding by the City to the Authority in connection with the acquisition of additional property necessary to construct a parking garage and surface parking lot as well as certain site improvements necessary to serve the Roanoke Higher Education Center in the Redevelopment Area.

(For full text of Resolution, see Resolution Book No. 63, page 592.)

Mr. Harris moved the adoption of Resolution No. 35129-110600. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS-HOTEL ROANOKE CONFERENCE CENTER: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of September, 2000.

(For full text, see financial report on file in the City Clerk's Office.)

Council Member White requested that future financial reports contain a line item of expenses for the Hotel Roanoke Conference Center Commission.

Without objection by Council, the Mayor advised that the Financial Report for the month of September would be received and filed.

BUDGET-RIVERSIDE CENTRE: The Director of Finance submitted a written report advising that on September 18, 2000, Council adopted budget Ordinance No. 35061-091800 which accompanied a report identifying funding needs relative to the Riverside Centre for Research and Technology, and the budget ordinance was drafted based on an earlier version of the Council report, which was erroneous; whereupon, the Director of Finance transmitted a revised budget ordinance which will deappropriate items erroneously adopted on September 18, 2000, and correctly transfer/appropriate funding provided for in the Riverside Centre Council report.

Mr. Harris offered the following emergency budget ordinance:

(#35130-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 593.)

Mr. Harris moved the adoption of Ordinance No. 35130-110600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES:

BUDGET-INDUSTRIES: Council Member W. Alvin Hudson, Jr., Chair, Bid Committee, presented a written report on behalf of the Committee, in connection with bids received by the City for a 1,230 foot extension of existing Blue Hills Drive, together with associated utilities and grading, and to complete the grading of three new sites in the Roanoke Centre for Industry and Technology.

The Bid Committee recommended that Council accept the bid of Allegheny Construction Co., Inc., and authorize the City Manager to execute a contract for the above described work, in a form acceptable to the City Attorney, in the amount of \$1,300,883.00, with a project contingency of \$130,117.00, and 180 consecutive

calendar days of contract time; and transfer \$1,431,000.00 from Public Improvement Bonds Series 1999 Account No. 008-052-9709-9178, to RCIT Infrastructure Extension, Account No. 008-052-9632-9032, to fund the contract and to provide a project contingency.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see report and statement on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35131-110600) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 595.)

Mr. Hudson moved the adoption of Ordinance No. 35131-110600. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following emergency ordinance:

(#35132-110600) AN ORDINANCE accepting the bid of Allegheny Construction Co., Inc., for providing a 1230 foot extension of the existing Blue Hills Drive, together with associated utilities and grading, and to finish grading three new sites known as Tracts A, B, and F, in the Roanoke Centre for Industry and Technology, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 596.)

Mr. Harris moved the adoption of Ordinance No. 35132-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

DONATIONS/CONTRIBUTIONS-LANDMARKS/HISTORICAL PRESERVATION-WATER RESOURCES-STREETS AND ALLEYS: Council Member Linda F. Wyatt, Chair, Water Resources Committee, presented a written report on behalf of the Committee, with regard to acceptance of the donation of a historical marker at the intersection of Colonial Avenue and McNeil Drive, S. W.

A staff report advised that erection of a historical marker honoring Samuel P. McNeil has been proposed by the Honorable Jack B. Coulter at the intersection of Colonial Avenue and McNeil Drive, within the public right-of-way of the intersection; City staff has expressed concern regarding private interests being allowed to place a sign in the public right-of-way; the City Attorney has indicated that a compromise might be possible by having the sign installed and donated to the City, with the City accepting the donated and installed sign; accepting donation will allow the marker to be erected in a more visible location and the City will maintain control of the right-of-way; acceptance of the marker does not imply that the City will be responsible for repairs or replacement; the exact location of the marker will be determined by the Director of Public Works; and size of the marker will be two feet wide by three feet high and three-fourths inch thick, to be mounted on a three inch pipe, which will be no higher than five feet, thus the maximum height of the marker will be eight feet.

The Water Resources Committee recommended that Council authorize the City Manager to accept donation of the historical marker honoring Samuel P. McNeil, following installation, at the intersection of Colonial Avenue and McNeil Drive, S. W.

(For full text, see reports on file in the City Clerk's Office.)

Ms. Wyatt offered the following resolution:

(#35133-110600) A RESOLUTION accepting the donation of the historical marker honoring Samuel P. McNeil, upon its installation at the intersection of Colonial Avenue and McNeil Drive, S. W., and expressing appreciation for such donation.

(For full text of Resolution, see Resolution Book No. 63, page 597.)

Ms. Wyatt moved the adoption of Resolution No. 35133-110600. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-SEWERS AND STORM DRAINS-WATER RESOURCES-STREETS AND ALLEYS: Council Member Linda F. Wyatt, Chair, Water Resources Committee, presented a written report on behalf of the Committee, with regard to property rights acquisition for the Vermont Avenue Storm Drainage Project.

A staff report advised that a drainage problem has existed for over 40 years along the 400 block of Vermont Avenue, N. W., in the Washington Heights Neighborhood, which includes water flowing across private property and flooding a basement during heavy rainfall; authorization is needed to proceed with acquisition of necessary property rights; and funding of \$10,000.00 for property rights acquisition is available in Miscellaneous Storm Drains, Account No. 008-052-9572.

The Water Resources Committee recommended that Council authorize the City Manager to execute the appropriate documents to provide acquisition of all property rights required for the construction of the project, in a form acceptable to the City Attorney, said property rights may be acquired following a satisfactory environmental site inspection by negotiation or eminent domain and include fee simple, permanent easements, temporary construction easements, rights-of-way, licenses or permits, etc.

(For full text, see reports on file in the City Clerk's Office.)

Ms. Wyatt offered the following emergency ordinance:

(#35134-110600) AN ORDINANCE providing for the acquisition of property rights needed by the City for certain drainage improvements in connection with the Vermont Avenue Drainage Project; authorizing the City Manager to fix a certain limit on the consideration to be offered by the City; providing for the City's acquisition of such property rights by condemnation, under certain circumstances; authorizing the City to make motion for the award of a right of entry on any of the parcels for the purpose of commencing the project; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63, page 598.)

Ms. Wyatt moved the adoption of Ordinance No. 35134-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

STREETS AND ALLEYS: Ordinance No. 35107, permanently vacating, discontinuing and closing that certain alley extending from 10th Street, N. E., to 11th Street, in Block 7, Fairmount Map, said alley being parallel to and between Georgia Avenue and Connecticut Avenue, having previously been before the Council for its first reading on Monday, October 16, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35107-110600) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 63, page 568.)

Mr. Harris moved the adoption of Ordinance No. 35107-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

STREETS AND ALLEYS: Ordinance No. 35108, permanently vacating, discontinuing and closing that portion of Georgia Avenue, N. E., extending in an easterly direction from 10th Street, for a distance of 285 feet to a point approximately 100 feet from the intersection of 11th Street, having previously been before the Council for its first reading on Monday, October 16, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35108-110600) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 63, page 570.)

Mr. Harris moved the adoption of Ordinance No. 35108-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

CITY CODE-ZONING: Ordinance No. 35109, amending §36.1-693, Notice of hearing, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to clarify notice requirements, prior to conducting rezoning public hearings before Council and the City Planning Commission, having previously been before the Council for its first reading on Monday, October 16, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35109-110600) AN ORDINANCE amending §36.1-693, Notice of hearing, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to clarify notice requirements.

(For full text of Ordinance, see Ordinance Book No. 63, page 572.)

Mr. Harris moved the adoption of Ordinance No. 35109-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

STREETS AND ALLEYS: Ordinance No. 35110, permanently vacating, discontinuing and closing that certain 25' by 85' portion of First Street, N. W., approximately 43' from the intersection of First Street and Shenandoah Avenue, as the same extends between Shenandoah Avenue and Centre Avenue, having previously been before the Council for its first reading on Monday, October 16, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35110-110600) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 63, page 573.)

Mr. Harris moved the adoption of Ordinance No. 35110-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

CITY NURSING HOME-CITY PROPERTY-LEASES-WATER RESOURCES:
Ordinance No. 35111, authorizing an agreement with Richard B. Jeter and Ned B. Jeter for lease of a 7.41-acre tract of land located near the former City Nursing Home at Coyner Springs for agricultural purposes, for a five year period, effective April 20, 2000, at an annual rental of \$10.00 per acre per year, and upon such other terms and conditions as are deemed appropriate and as more particularly set forth in a report to Council dated October 16, 2000, having previously been before the Council for its first reading on Monday, October 16, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35111-110600) AN ORDINANCE authorizing the proper City officials to enter into a lease agreement between the City and Richard B. Jeter and Ned B. Jeter, for use of a 7.41-acre tract of land for agricultural purposes, upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 63, page 576.)

Mr. Harris moved the adoption of Ordinance No. 35111-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

CITY PROPERTY-LEASES-WATER RESOURCES-FIRE DEPARTMENT:
Ordinance No. 35112, authorizing a lease agreement with the Southeast Action Forum for the lease of City-owned property located at 1015 Jamison Avenue, S. E. (known as Old Fire Station #6), for a five year period, effective July 14, 2000, through July 13, 2005, at an annual rental of \$1.00 per year, upon such other terms and conditions as are deemed appropriate and as more particularly set forth in a report to Council dated October 16, 2000, having previously been before the Council for its first reading on Monday, October 16, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35112-110600) AN ORDINANCE authorizing the proper City officials to enter into a lease agreement between the City and the Southeast Action Forum for the lease of City-owned property located at 1015 Jamison Avenue, S. E. (known as Old Fire Station #6), upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 63, page 577.)

Mr. Harris moved the adoption of Ordinance No. 35112-110600. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

COUNCIL: Mr. Harris offered the following resolution changing certain times and places of commencement for regular meetings of City Council scheduled to be held on Monday, November 20, 2000, as follows: 12:15 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., 3:00 p.m. and 7:00 p.m., in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W.:

(#35135-110600) A RESOLUTION changing certain times and places of commencement for regular meetings of City Council scheduled to be held on Monday, November 20, 2000.

(For full text of Resolution, see Resolution Book No. 63, page 600.)

Mr. Harris moved the adoption of Resolution No. 35135-110600. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Harris, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Council Member Hudson inquired as to the status of City Council Chamber renovations; whereupon, the City Manager advised that the contractor has until December 18, 2000, to complete the work, after which time the contractor will begin to incur daily penalties.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ROANOKE CIVIC CENTER: Council Member Wyatt suggested that food service vendors doing business at the Roanoke Civic Center be encouraged to offer food items for sale that may be consumed by persons with dietary restrictions.

REFUSE COLLECTION: Council Member White addressed recent changes to the City's Bulk Refuse Collection Program, and requested that the City Manager elaborate on changes and results; whereupon, the City Manager advised that the change to weekly collection, without the requirement for call-in by a citizen, has been successful and well received by the community, and the volume of bulk waste collected has been considerably higher than was anticipated.

CITY SHERIFF-EQUIPMENT: Council Member Hudson requested that the matter of installing video cameras in marked vehicles of the Sheriff's Department be referred to the City Manager for report.

ZONING-HOUSING/AUTHORITY: Vice-Mayor Carder called attention to an automobile repair establishment in the vicinity of the Lansdowne Park housing complex which was granted a variance some time ago, pursuant to certain proffered conditions to rezoning relating to landscaping; whereupon, he inquired as to the City's procedure to ensure that proffered conditions are met, especially in terms of landscaping issues.

The matter was referred to the City Manager for report.

ACTS OF ACKNOWLEDGMENT-NEIGHBORHOOD ORGANIZATIONS-SCHOOLS: Council Member Bestpitch expressed appreciation to the Melrose/Rugby Neighborhood League for hosting a Council/City staff tour of the Melrose/Rugby area on Monday, October 30, 2000.

Council having participated in a tour of the Huff Lane Micro Village earlier in the day, Mr. Bestpitch expressed appreciation to students and teachers for their contributions to the concept of the Micro Village, which allows students to participate in the democratic process, in employment situations, and in business and economic matters, etc.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

PARKS AND RECREATION: Mr. Howard Johnson, 820 Westside Boulevard, N. W., offered his assistance in regard to the establishment of an amusement park for the Roanoke area which could be located in the Westside Boulevard/Salem Turnpike/Melrose Avenue area, and stated that such a facility would provide jobs and entertainment for citizens of the Roanoke Valley.

PARKS AND RECREATION-SCHOOLS-ARMORY/STADIUM: Ms. Estelle McCadden, 2128 Mercer Avenue, N. W., spoke in support of remodeling Victory Stadium, and advised that the longer the facility is allowed to deteriorate, the more it will cost to complete renovations. She called attention to the need to provide athletic facilities for William Fleming and Patrick Henry High Schools.

DIRECTOR OF FINANCE-COMPLAINTS-CITY ATTORNEY-CITY MANAGER-CITY SHERIFF-PUBLIC WORKS-HOUSING/AUTHORITY-EQUIPMENT-PENSIONS-ENVIRONMENTAL POLICY: Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., addressed Council in connection with the following issues/questions:

1. What is the proper forum for Council to engage in discourse with citizens in regard to their questions on City projects and/or issues?
2. Who is responsible for the \$3 million penalty incurred by the City in connection with the cleaning up of barrels and toxic waste at the Public Works Service Center, and are there other burial sites and/or toxic waste sites in the City?
3. What is the amount of the retirement packages afforded to Roanoke's former City Manager, City Attorney and Director of Public Works?

He requested a written response to questions 2 and 3.

Mr. Jeffrey expressed support of the new bulk refuse collection program which has been successful in his neighborhood; he concurred in the remarks of Council Member Hudson regarding the need for video cameras in marked Sheriff's Department vehicles; and he commended Vice-Mayor Carder for his remarks which were presented at a recent Roanoke Chapter, NAACP Banquet, regarding living conditions in the Lansdowne Park public housing development and in public housing in general, however, he requested that the Vice-Mayor's remarks be reiterated for the record at a future City Council meeting, to be followed by appropriate action(s) by Council.

At 5:30 p. m., the Mayor declared the meeting in recess.

At 6:25 p. m., the meeting reconvened in the Roanoke Civic Center Exhibit Hall, with Mayor Smith presiding, and all Members of the Council in attendance, with the exception of Council Member Harris, who left the meeting during the Closed Session.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Carder moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Carder, Hudson, White, Wyatt, Bestpitch, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

OATHS OF OFFICE-COMMITTEES-PERSONNEL DEPARTMENT: The Mayor advised that there is a vacancy on the Personnel and Employment Practices Commission for a term ending June 30, 2002, and called for nominations to fill the vacancy.

Ms. Wyatt placed in nomination the name of Lylburn D. Moore, Jr.

There being no further nominations, Mr. Moore was appointed as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2002, by the following vote:

FOR MR. MOORE: Council Members Carder, Hudson, White, Wyatt, Bestpitch and Mayor Smith-----6.

(Council Member Harris was absent.)

OATHS OF OFFICE-COMMITTEES-ROANOKE ARTS COMMISSION: The Mayor advised that there are three vacancies on the Roanoke Arts Commission for terms ending June 30, 2003, and called for nominations to fill the vacancies.

Mr. Hudson placed in nomination the name of Kathleen W. Lunsford.

Mr. Bestpitch placed in nomination the name of Susanna Koerber.

Ms. Wyatt placed in nomination the name of Charles E. Jordan.

There being no further nominations, Ms. Lunsford, Ms. Koerber and Mr. Jordan were appointed as members of the Roanoke Arts Commission, for terms ending June 30, 2003, by the following vote:

FOR MS. LUNSFORD, MS. KOERBER, AND MR. JORDAN: Council Members Carder, Hudson, White, Wyatt, Bestpitch and Mayor Smith-----6.

(Council Member Harris was absent.)

OATHS OF OFFICE-COMMITTEES-YOUTH: The Mayor advised that there is a vacancy on the Youth Services Citizen Board for a term ending May 31, 2003, and called for nominations to fill the vacancy.

Ms. Wyatt placed in nomination the name of Duriel M. Wood.

There being no further nominations, Mr. Wood was appointed as a member of the Youth Services Citizen Board, for a term ending May 31, 2003, by the following vote:

FOR MR. WOOD: Council Members Carder, Hudson, White, Wyatt, Bestpitch and Mayor Smith-----6.

(Council Member Harris was absent.)

OATHS OF OFFICE-COMMITTEES-ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN: The Mayor opened the floor for additional nominations to the Vision 2001, Comprehensive Plan Citizens Advisory Committee.

Ms. Wyatt placed in nomination the names of Ruth Blackman, Onawa M. Miller, Jeanie Moses and Nakia Price.

There being no further nominations, Ms. Blackman, Ms. Miller, Ms. Moses and Ms. Price were appointed as members of the Vision 2001, Comprehensive Plan Citizens Advisory Committee, by the following vote:

FOR MS. BLACKMAN, MS. MILLER, MS. MOSES AND MS. PRICE: Council Members Carder, Hudson, White, Wyatt, Bestpitch and Mayor Smith-----6.

(Council Member Harris was absent.)

There being no further business, the Mayor declared the meeting adjourned at 7:30 p.m.

A P P R O V E D

ATTEST:

City Clerk

Mayor

The Fiscal Year 2002-03 Budget Study Session was called to order on Thursday, May 9, 2002, at 9:00 a.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue. S. W., City of Roanoke, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

ALSO PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; Troy A. Harmon, Municipal Auditor, Willard N. Claytor, Director of Real Estate Valuation; George C. Snead, Jr., Assistant City Manager for Operations; Rolanda A. Johnson, Assistant City Manager for Community Development; Ann H. Shawver, Deputy Director of Finance; Barry L. Key, Director of Management and Budget; Alicia F. Stone, Budget Administrator; Sherman M. Stovall, Planning/Support Services Supervisor; Frank Baratta, Budget Team Leader; Robert K. Bengtson, Director of Public Works; and George M. McMillan, City Sheriff.

COUNCIL-BUDGET: The Mayor welcomed Council Member-Elect M. Rupert Cutler and advised that Council Member-Elect Alfred T. Dowe, Jr., was out of the City.

The City Manager called attention to a number of slides that would be used throughout the budget presentation. She explained that expenditure adjustments have been made in order to balance the budget in view of the reduction in personal property taxes and bank stock revenue; a number of items will be reviewed that were previously identified by Council and referred to fiscal year 2002-03 budget study during the past year; and City staff will address concerns of Council Members above and beyond those items. She advised that from the beginning, the fiscal year 2003 budget has been a challenge and a most difficult budget to balance as a result of the City of Roanoke being the recipient and or non-recipient of certain State monies and changing issues locally. On a positive note, she called attention to State revenues pertaining to Constitutional Offices; and as the various State departments balance their budget, the City of Roanoke can continue to expect surprises, therefore, she requested that Council bear with City staff as they work with changing budget figures from the State.

The City Manager referred to the remarks of Ms. Estelle McCadden, 2128 Mercer Avenue, N. W., which were presented at the fiscal year 2002-03 Budget Public Hearing on Monday, April 29, 2002, at which time Ms. McCadden raised specific questions (see April 29, 2002 minutes); whereupon, the City Manager advised that she recently met with Ms. McCadden for approximately 90 minutes and satisfactorily answered her questions.

Mr. Key advised that the issue on the minds of everyone is how to balance the fiscal year 2002-03 budget in view of the recent downturn in the personal property and bank stock taxes. He stated that the original recommended General Fund revenue estimate 2003 was approximately \$195 million and three adjustments are currently recommended: (1) a reduction in personal property tax of approximately \$1.4 million, (2) a reduction in bank stock tax of \$383,000.00 and (3) it appears that the State has restored almost all of the cuts that were anticipated in Constitutional Offices, totaling approximately \$394,520.00, with the majority, \$287,000.00, in the Sheriff's Office. He explained that the total of the two adjustments for personal property tax and bank stock tax is \$1,798,000.00, which represents a reduction in local taxes; and the three adjustments, added to a reduction of \$1.4 million, brings the revenue estimate down to \$193.5 million increase from fiscal year 2002 of approximately \$2 million, or 1.15 per cent.

He reviewed recommendations on expenditure reductions to balance the budget taking into consideration a revenue reduction of \$1,403,480.00. He stated that the first item is in the school's share of the local revenue reduction and per the existing formula between the City and the Schools, the schools would share in 36.42 per cent of the reduction, totaling \$654,832.00. He explained that the impact on the school budget, according to the school administration (has not been approved by the School Board), is that employee raises will be reduced from 3.25 per cent to 2.55 per cent, a reduction in debt reserve and future capital projects, plans to upgrade principal salaries will be eliminated, and plans for additional training and recruitment for site based administrators will also be eliminated.

Mr. Key explained that it was the goal of City staff to increase the City's debt capacity by including \$878,000.00 for fiscal year 2003; however, staff now recommends a reduction of the figure to the minimum which is \$570,000.00 as included in the Six Year Plan previously approved by Council. He stated that the City has an approved financial policy to fund the Contingency Reserve at one-half of one per cent of the General Fund which has not been achieved to date and would be in the range of \$900,000.00 - \$1,000,000.00 for fiscal year 2003, and to accommodate the necessary revenue adjustment, \$500,000.00 is recommended for

the Contingency Reserve which is the same level as fiscal year 2002. He advised that the City's contribution to the Hotel Roanoke Conference Center Commission will be reduced for fiscal year 2003 from \$175,000.00 to \$125,000.00; and Council recently approved the cable television budget and staff overestimated the City's portion of the budget by \$25,063.00.

Mr. Key explained that City staff was requested to recommend ways to better manage costs within Solid Waste Management, therefore, the level of expenditures in the area of contract labor to accommodate increased volume during fiscal year 2002 has been reviewed, and it is recommended to replace two full time contractual employee drivers with City positions to address increased bulk and brush which will result in a \$20,176.00 savings. He called attention to renegotiation of the National Guard Armory lease over the past year, whereby the National Guard would pay for more expenses and utilities relating to the facility in the range of \$70,000.00 per year; and the cost of the merit raise for City employees has been revised to provide for a cost reduction of approximately \$188,070.00. He stated that added back to the fiscal year 2003 budget will be four full time equivalent deputy sheriff positions that have been approved by the Compensation Board, in the amount of \$138,140.00, the Compensation Board has approved 205 positions which is the current staffing level and with the change in the additional revenue, the two positions that had been recommended for unfunding and the two overhire positions will be reinstated to the Sheriff's budget, which results in there being no locally funded positions in the Sheriff's Department. He explained that the Police Department had previously recommended that the DARE Camp be scaled back by approximately 50 per cent, however, it is recommended that full funding be restored (\$12,877.00), to provide for a full week at the 4H Camp at Smith Mountain Lake.

Mr. Key reviewed those issues that were referred by Council to fiscal year 2002-03 budget study during the course of the year:

(1) The need to reduce reliance on the year end fund balance for capital funding for technology upgrades, vehicle replacement and other items. Mr. Key called attention to \$4.3 million in capital funding in the fiscal year 2002 budget, \$0.8 million has been included in additional capital funding in the fiscal year 2003 budget, for a total of \$5.1 million and attainment of more adequate funding levels will be considered as part of a long range financial plan to try and find a way to budget funds in the actual budget each year as opposed to relying on the year end balance. He advised that during fiscal year 2003, the Department of Finance and the Office of Management and Budget will address a long

range financial plan, consisting of a five year projection on revenues and expenditures, to determine shortfalls over a five year period, and to recommend financial strategies for review by Council on how to meet the needs of the City over the next five years.

(2) Recognition of the location of past historic buildings. Mr. Key explained that the Engineering Department is working on the most cost effective method and referred to the possibility of various types of fund raisers, etc. Council Member White called attention to a similar request regarding the First Street Bridge and asked that downtown buildings and the First Street Bridge be considered simultaneously. There was discussion that \$10,000.00 for the project may be a more realistic figure, as opposed to the \$25,000.00 included in the proposed fiscal year 2003 budget, and that all plaques should be uniform.

(3) Cost-of-living increase for City retirees. The fiscal year 2003 budget recommends a 2.6 per cent increase which is consistent with the Social Security increase granted effective January 1, 2002, and other government retirement systems to be funded by the Pension Plan.

(4) Request for Fire-EMS information as previously requested by Council Member Bestpitch in regard to staffing on fire apparatus and cost for services that were provided by REMS. Mr. Key advised that fire apparatus are staffed with three personnel 90-92 per cent of the time, and with four personnel during the remainder of the time, for a "total emergency scene staffing" philosophy; 58 additional full time employee positions would be required at a cost of \$2.2 million to staff each apparatus with four personnel 100 per cent of the time; and the City's current response protocol is about 13 people on the scene for a fire call and in the event of a working fire, an additional five positions are dispatched. He stated that if the City were to move to a minimum apparatus staffing of four per apparatus, approximately 58 additional positions would be required, at a cost of approximately \$2.2 million to guarantee staffing at that level 100 per cent of the time.

Ms. Wyatt inquired as to whether the positions are supervised firefighters; whereupon, a response was delayed until arrival of the Fire Chief.

In regard to REMS, Mr. Key advised that the value added is \$129,523.00 annually, which means that without REMS, there would be a cost increase in that amount in the Fire/EMS budget. He noted that 18 part-time employees are used to staff REMS Medic I, Monday - Friday, from 7:00 a.m. to 7:00 p.m. (60 hours per week), at a cost of \$72,000.00 annually, and two full time positions also fill in as needed.

Mr. Bestpitch pointed out that none of the 18 part-time employees receive benefits as part-time employees and at 60 hours per week, there could be at least one full time position which would provide that individual with a career position, while splitting up the other 20 hours. It was the consensus of Council to hold discussion in abeyance until the arrival of the Fire Chief.

(5) Request for information on consultants. Mr. Key called attention to a communication from the City Manager under date of May 3, 2002, that was provided to Council indicating that there is in the range of \$9 million worth of consultants' contracts at this time, the majority of which covers engineering design type contracts, totaling approximately \$8.1 million, with the balance being administrative in nature.

During the past year, Mr. Hudson inquired as to costs for overtime pay in the Fire/EMS budget for call backs of off duty firefighters, in order to maintain a staffing level of three per fire apparatus.

It was agreed that the question would be held in abeyance until the arrival of the Fire Chief.

(6) Request for information regarding cultural and human service organizations. Mr. Key advised that a communication from the City Manager under date of May 3, 2002, was previously provided to Council including preliminary recommendations for fiscal year 2003 in regard to the Cultural Services Committee, the Human Services Committee, and other human service type agencies that receive funding through the HUD budget.

Mr. Bestpitch advised that the data received by Council appears to compare projected budgets year after year; if a specific agency were more successful in raising funds from other sources, the percentage of the budget that the City provides should be lower, and if the agency fails to raise funds, the figure will reflect a higher percentage, therefore, some refinement seems to be in order.

(7) Funding for the Roanoke Adolescent Health Partnership. Mr. Key advised that \$25,000.00 is recommended in the fiscal year 2003 budget as a transfer to Roanoke City Public Schools, although no specific line item has been included in the budget.

(8) Request for information on the Solid Waste program. Mr. Key advised that Ms. Wyatt requested additional information on the Homeowner Program volume at the transfer station; i.e.: 965 tons of household waste was disposed of in 1998, over the next two years, volume increased and leveled off after fiscal year 2000 because curb service was initiated, and the numbers do not appear to be changing; and a large amount of equipment is proposed to be replaced in fiscal year 2003 in solid waste management, and rental of equipment in the amount of \$120,000.00 will not be included in fiscal year 2003.

Mr. Bengtson presented a report in regard to residential solid waste collection, and called attention to service enhancements and changes that have been made in the last 18 months:

(1) Implementation of the weekly route based bulk and brush collection.

(2) Expansion of the weekly recycling collection which included the ability to co-mingle recyclables making the system more user friendly for customers and City staff.

(3) Moving to more curb side collection points to maximize efficiency and the utilization of manpower, with a goal to reduce the percentage of alley collection points from 44 per cent to approximately 15 per cent.

He advised that in developing the service level enhancements, the following key assumptions were made:

An increase in the number of daily bulk and brush collection routes from three to four routes, with two pieces of equipment (knuckleboom truck and packer truck assigned to each route).

Resources that previously had been dedicated to alley collection could be reallocated to the enhanced bulk and brush program and the expanded recycling program. This would also provide for a sufficient compliment of back up manpower to provide coverage for vacation time, illness and other paid leave situations.

A nominal increase in the tonnage of bulk and brush items collected.

An increase from seven per cent to 14 per cent in the tonnage diverted from the normal waste stream as a result of expanding and simplifying the collection system for recyclables. It was anticipated that this would require an increase in the number of daily recycling routes from two to three routes.

With implementation of the enhanced services, Mr. Bengtson advised that the following factors have been considered when evaluating the current status of residential refuse collection:

The tonnage of bulk and brush items collected has increased 70 per cent since the inception of route-based bulk and brush collection at a cost of \$66,153.00.

The tonnage of residential recyclable materials diverted from the normal waste stream has increased to 30 per cent since the inception of the expanded recycling program, compared to the initial projection of 14 per cent. The number of daily recycling routes had to be increased from the anticipated three routes per day to four routes per day to handle the additional volume. While staffing and equipment needs have increased, recyclables are not being directed to the landfill for disposal at a cost of \$42.00 per ton. The cost to dispose of recyclables is \$5.00 per ton for mixed paper and \$40.00 per ton for plastics, bottles, and glass.

As a result of moving back into a number of alleys, the percentage of alley collection points is 37 per cent, compared to the initial goal of 15 per cent. This foreclosed the opportunity to reallocate manpower to the enhanced bulk and brush program and the expanded recycling program, and required the use of contract labor to meet service demands.

With the exception of the special collection programs, the use of contract labor to meet the daily manpower requirement and to provide a sufficient backup compliment equates to nine full-time equivalent positions, at a cost of approximately \$194,000.00. It has been determined that it is more cost effective to use sanitation workers on a contract basis than to add permanent positions to the existing staffing compliment. Also, it has been determined that it is more cost effective to add sanitation drivers to the staffing compliment than it is to use drivers on a contract basis.

Due to increased service demands and the poor condition of the solid waste vehicular fleet, it became necessary to rent vehicles during fiscal year 2002 at a cost of \$151,404.00. The acquisition of new collection equipment will eliminate the requirement to rent equipment in the upcoming fiscal year. The next round of vehicular equipment replacement is now being planned to continue the upgrade of the solid waste fleet to cost-effectively meet service demands.

In conclusion, Mr. Bengtson advised that the recommended fiscal year 2002-03 budget contains sufficient funding to operate the residential collection programs at the current service levels based on the anticipated tonnage of materials collected and the use of contract labor; whereupon, he offered the following recommendations:

The addition of two sanitation drivers to the permanent Solid Waste Management staffing compliment, which will result in a savings of approximately \$20,176.00 when compared to the cost of using contract sanitation drivers.

Enhancing the level of expenditure monitoring for solid waste tipping fees and the use of contract labor to ensure that both items are within budget.

Report quarterly to Council on the status of the residential solid waste collection program with respect to actual expenditures compared to budget.

Continue to replace vehicular equipment on schedule to ensure that adequate vehicles are available to meet service demands.

Ms. Wyatt requested information on contract labor costs, continuity, caliber and quality of employees. She expressed concern that when contract labor is used, the City of Roanoke cannot expect to receive the same level of dedication from contract labor that it receives from full-time City employees and Roanoke's citizens have come to expect quality service.

Mr. Key pointed out that it would cost \$40,000.00 more per year to replace contract labor with full-time City employees.

There was considerable discussion regarding contract labor versus employment of full time City employees; whereupon, Ms. Wyatt requested information on the total cost of full-time City employees versus contract labor.

Mr. White advised that Council should be provided with periodic information on costs, delivery of service and benefits. He inquired if the City Manager has considered the possibility of including a question with regard to the level of citizens satisfaction with the City's solid waste collection program in the annual citizens survey; whereupon, the City Manager advised that a question has been included in previous surveys and will continue to be included in future citizen surveys. Mr. White commended the City's solid waste management program which has improved the overall cleanliness of the City of Roanoke.

Ms. Wyatt advised that her concern pertains to the \$700,000.00 over run in the 2002 fiscal year budget for solid waste management, and called attention to the need to budget appropriately so that there will not be another \$700,000.00 over expenditure in the budgeted amount. She called attention to the need to look at more and better efficiencies so that a recycling truck, a bulk refuse collection truck and a regular refuse collection truck are not required to go down every street in the City every week, resulting in a waste of taxpayers' money. She stated that there may be a need for a better communication system, vehicle to vehicle, which would enable drivers to alert each other if there is bulk, brush or recyclables to be removed on any given street.

The Mayor requested information on collection costs of comparable cities in Virginia and nearby states and whether or not they engage in recycling which will enable Council to make an informed decision as to whether City of Roanoke costs are comparable with other localities. He advised that Council should decide how much it wishes to appropriate to solid waste management and look to the City Manager to accomplish the City's goals within funds that are appropriated.

Mr. Hudson referred to those persons who have been evicted from rental properties, whose possessions are set out on the street for 20 days before they may be removed by solid waste management. He stated that the landlord should be responsible for moving the items to a specific area so as not to clutter City streets; whereupon, the City Manager advised that staff is working on an ordinance to address the matter and it is anticipated to bring the measure to Council for consideration within the next two months.

The City Manager advised that the Fire Chief was present to respond to previous questions raised by Council Members.

In regard to the question pertaining to the additional compliment of fire staff that are deployed to a fire scene when there is an actual working fire, how those five individuals are used, their qualifications, and actual duties on the fire scene, Chief Grigsby responded that the five persons can be used in any way that the incident commander chooses, the individuals have received cross training and 94 per cent of the entire Fire/EMS Department is cross trained in basic life support and emergency medical training, and 15 per cent of the department is trained in advance life support. He explained that each fire scene determines how staff will be used.

In regard to the question of REMS and its role in EMS service, with 18 employees engaged on a part-time basis to supplement REMS staff, why would the City not consider employing one full-time employee and supplement the one employee with part-time staff at a lesser number by virtue of the fact that there would be a full time employee engaged in part of the service delivery, Chief Grigsby advised that it has been determined that using part time personnel as emergency medical technicians has been advantageous to the City. He stated that he would give further review to the matter to determine whether the service should be a paid service, and if so, four full time persons, or approximately 7000 staff hours per year, would be required.

In regard to the amount of overtime paid to off duty personnel by the Fire/EMS Department to achieve a minimum staffing level of three, Chief Grigsby responded that the figure is in the range of \$120,000.00 - \$130,000.00 in overtime wages per year.

Upon question by a Member of Council, Mr. Key referred to page 207 of the proposed budget document in which a total of four positions in the Fire/EMS Department are recommended for elimination, i.e.: the Deputy Chief and Captain positions and two Firefighter EMT positions, with the total of the Captain and the two Firefighter/EMT positions at \$143,000.00 and the Deputy Chief position at approximately \$85,000.00.

There was discussion in regard to the airport fire station, financial operation, and the rationale behind eliminating the two Fire/EMS positions.

Vice-Mayor Carder inquired if the proposed cuts will cause an increase in risks to Roanoke's citizens through loss of life, injury and personal property; whereupon, the Fire Chief advised in the negative inasmuch as the Fire/EMS department will continue to maintain its operational strength of 65 per day.

In regard to the issue of public safety, the City Manager advised that the City has been unable for a number of years to fill all of its police officer positions through recruitment and retention methods and the department routinely has between five and ten vacancies on a continuing basis, and rather than recommend cutting five other positions somewhere else in the budget in fiscal year 2003, it is recommended that Council unfund five police officer positions, or one-half of what the department normally carries as vacancies. She advised that if the Police Department can fill every one of those positions at any time during fiscal year 2003, she will find the money to fund the positions. She stated that during this tight budget situation, it is difficult to allow funds to remain in the budget knowing that those funds will not be used, while cutting other positions in the budget. She stressed that every recommendation that was made in the proposed fiscal year 2003 budget has some pain, but the budget is manageable and continues to provide the level of service that Roanoke's citizens want.

Question arose with regard to six positions that are being recommended for funding by the City Manager in fiscal year 2003, versus the elimination of five positions in the Fire/EMS Department; whereupon, the City Manager advised that two of the six positions are the substitution of positions for what has been a contract in the past, and such action will not cost the City any more money; and three of the positions relate to revenue maximization for the City. She advised that a revenue maximization coordinator has been used in other localities and has demonstrated a significant capacity to bring additional Federal and State dollars to the locality, thus saving local tax dollars. She stated that a position was recommended by the Municipal Auditor for the Billings and Collections Department for a new position that would not only pay for itself, but identify and collect additional revenues on behalf of the City, because revenue collection is a key to Roanoke's future to ensure that every penny the City is entitled to receive is collected. She added that another position is proposed for the Department of Parks and Recreation to create additional opportunities for grants and donations to fund recreation programs. She advised that a librarian for the Law Library will be funded through fees that are collected on court cases, with no local contribution. She explained that three of the six positions have no budget impact and the other three positions are designed to generate revenues for the City.

Ms. Wyatt advised that based upon discussions with her fellow Council Members, is it clear that the majority of Council does not wish to cut positions in the Fire/EMS Department; whereupon, she requested that the City Manager recommend a solution to balance the fiscal year 2003 budget without cutting those positions. The City Manager advised that she would submit a recommendation to address the request at Council's budget study session on Friday, May 10. Following further discussion, it was clarified that Council was referring to three firefighter positions.

At 11:45 a.m., the Mayor declared the 2002-03 budget study session in recess.

At 1:45 p.m., the budget study session reconvened in Room 159 of the Noel C. Taylor Municipal Building, with all Members of the Council in attendance, Mayor Smith presiding.

The City Manager advised that Council was at a point in the agenda to discuss other issues or adjustments that Council might wish to address.

The Mayor referred to a request of the Bradley Free Clinic for an increase in funding by the City from \$30,000.00 to \$50,000.00; whereupon, the City Manager called attention to the possibility of contracting with the Bradley Free Clinic to provide all non-narcotic prescription drugs that the City routinely purchases for its clients on an annual basis, which amounts to approximately \$80,000.00 per year. She advised that if the City could be assured that its clients will receive the same level of prescriptions currently received at \$80,000.00, the Free Clinic would be the recipient of the profit. She added that a meeting will be held in the near future with representatives of the Bradley Free Clinic and the City of Roanoke to discuss the proposal, if the arrangement can be worked out, the net result would be an even greater benefit than the \$20,000.00 in additional funds requested by the Free Clinic; however, if the interested parties are unable to work out the necessary arrangement, she would be willing to take the additional \$20,000.00 from the City Manager's contingency on a one time basis, pursuant to approval by Council.

In connection with compliance and collection of taxes, Mr. White moved that the City Manager be authorized to contact the Commissioner of the Revenue to discuss the possibility of adding two audit positions to the staff of the Office of Commissioner of the Revenue for the purpose of enhancing compliance with laws currently on the books, and that an Audit Review Board be established to work with the Commissioner of the Revenue to ensure that the City is aggressively and fairly enforcing the collection of all taxes that the City is entitled to receive. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Ms. Wyatt inquired about the status of a grant of \$25,000.00 for child car seat safety; whereupon, the City Manager advised that the \$25,000.00 has, in the past, been a grant through the Police Department, the Police Chief will continue to apply for the grant; however, if the City is not a recipient of the grant in fiscal year 2003, \$25,000.00 will be included in the budget of the Police Department.

Mr. Bestpitch addressed the issue of a request by Total Action Against Poverty for the Dumas Center for Artistic Development and advised that as Council's liaison to the TAP Board of Directors, he was requested to generate discussion. He advised that the basic question is not one of funding in fiscal year 2003, but to provide a mechanism to develop support based upon a fundraising campaign beginning with fiscal year 2004, whereby the City would provide a local match of \$100,000.00 for every \$500,000.00 raised by TAP over a period of five years, which would give TAP the \$500,000.00 it has requested from the City toward a total \$3.5 million project.

It was the consensus of Council to refer the matter to the City Manager for report to Council with regard to funding, and to address compatibility of the Dumas Center for Artistic Development with future development in the area. It was pointed out that there is a need for a viable master plan for the entire area.

Ms. Wyatt inquired about the status of previous discussions in regard to using Williamson Road Pharmacy and Brambleton Avenue Pharmacy to provide prescription services for City employees.

Vice-Mayor Carder advised that the City should focus on a five year strategic plan in anticipation of what could happen at the State level with budget cuts and in conjunction with strategic business plans prepared by each City department. He stated that the budget process can be easier if there is some knowledge two or three years out in terms of revenues and anticipated decreases so that Council does not feel as though it is constantly putting out fires.

The City Manager advised that the strategic business plans for both the Department of Finance and the Office of Management and Budget call for development of a Five Year Financial Plan over the next year, and as a part of 2004 budget study sessions, study Council will be provided with a longer range plan that will include not only the City's operating budget, but the capital budget as well.

Mr. Harris advised that he would like to introduce a measure at the regular meeting of Council on Monday, May 20, 2002, expressing appreciation to the citizens of Crescent City, Florida, for their assistance in connection with the recent Amtrak derailment.

There being no further business, at 2:15 p.m., the Mayor declared the budget study session in recess until Friday, May 10, 2002, at 8:30 a.m., for a joint meeting of Council and the School Board.

The 2002-03 budget study session reconvened on Friday, May 10, 2002, at 8:30 a.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., with Council Member William White, Sr., and School Board Chair Sherman L. Lea presiding.

CITY COUNCIL MEMBERS PRESENT: William D. Bestpitch, C. Nelson Harris (arrived late), W. Alvin Hudson, Jr., Linda F. Wyatt, William White, Sr., and Mayor Ralph K. Smith (arrived late)-----6.

ABSENT: Vice-Mayor William H. Carder-----1.

SCHOOL BOARD TRUSTEES PRESENT: Marsha W. Ellison, Ruth C. Willson, Melinda J. Payne, Charles W. Day and Chairman Sherman P. Lea-----5.

ABSENT: School Trustees Gloria P. Manns and Brian J. Wishneff-----2.

OTHERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; Troy A. Harmon, Municipal Auditor, George C. Snead, Jr., Assistant City Manager for Operations; Rolanda A. Johnson, Assistant City Manager for Community Development; Ann H. Shawver, Deputy Director of Finance; Barry L. Key, Director of Management and Budget; Alicia F. Stone, Budget Administrator; Sherman M. Stovall, Planning/Support Services Supervisor; Frank Baratta, Budget Team Leader, M. Rupert Cutler, Council Member-Elect; Richard L. Kelly, Assistant Superintendent for Operations, Roanoke City Schools; and Cindy H. Lee, Clerk, Roanoke City School Board.

In the absence of the Mayor who arrived later in the meeting, Council Member William White called the meeting to order, and expressed appreciation to the School Board for their leadership. Inasmuch as Mr. Day will be retiring from the School Board on June 30, 2002, on behalf of the Members of Council, he expressed appreciation to Mr. Day for his years of service.

Chairman Lea advised that the School Board understands the difficult revenue situation facing the City and wishes to work with Council and the City administration to allow for a mutual resolution of the revenue shortfall. He stated that the School Board, at its April meeting, adopted a budget totaling \$106.6 million, or an increase of \$2.85 million over the previous year. He added that the adopted budget includes the \$378,500.00 in additional City revenue that the school system was notified of in early April. He stated that the adopted budget supports the School Board's major priorities for improving student performance, in order that all schools will complete State accreditation standards by the year 2004, increasing the competitiveness of employee salaries in relation to salaries by neighboring localities, optimizing the use of School Board resources through budget reductions and savings amounting to \$640,000.00, and funding debt service requirements necessary for the School Board to maintain, finalize and complete the high school and elementary school capital projects. He stated that the School Board adopted a balanced budget that accomplishes major priorities, primarily through the growth of City revenue allocated to the schools; despite the difficult economic situation, total school revenue was projected to increase by \$2.85 million over current budget figures; and the State's budget difficulties, from a slow down in economic growth and implementation of a car tax rebate, will mean that growth in State revenue will continue to be substantially less than in the years prior to fiscal year 2002. He noted that State revenue will increase by \$1.3 million, or 2.6 per cent, while City revenue was projected to grow by the same amount and Federal and other revenue will increase by \$250,000.00, or 12.5 per cent. He stated that the City's original revenue estimate also included almost \$205,000.00 for pre school programs, \$25,000.00 in pass through funds to support the Roanoke Adolescent Health Partnership, and expressed appreciation to Council and to the City Manager for continuing the support of these critical school programs and health initiatives.

Mr. Lea advised that as a result of the short fall in the personal property and bank stock taxes, the schools were notified that the City's revenue estimate for the schools will increase by only \$629,000.00, or 1.4 per cent, which is a decrease of approximately \$655,000.00 from the increase of City revenue included in the School Board's adopted budget. He stated that since almost all new revenue has been allocated to employee salary raises, the School Board's only viable option to meet the revenue reduction at this late date in the budget process is to reduce the amount

of the employee average salary rate by three-fourths of one per cent, which reduces the average raise for administrators and teachers from 3.25 per cent to 2.5 per cent, the result being that the competitive salary push in comparison to neighboring localities will continue to erode. He explained that the beginning teacher salary has declined from sixth highest in the state to 31st out of 133 localities and the salary for teachers with 15 years of experience now ranks 39th in the State, while salaries for senior teachers ranks 48th; and furthermore, the average teacher salary increase in fiscal year 2001-02 was two per cent, while the average increase in teacher salaries for all localities in the state was 4.3 per cent.

In addition to the reduction in the average employee raise, Chairman Lea advised that the School Board must also rescind approval of certain other budget initiatives in order to absorb the \$655,000.00 City revenue reduction and to balance the budget, i. e.:

Reduce the upgrading of the elementary principals' salary and the implementation of site based leadership development programs, saving a total of \$115,000.00

Reduce the increase in debt service reserve for high school projects by \$100,000.00, which will result in the reserve being \$950,000.00, and the School Board will have to add a total of \$650,000.00 to the reserve in fiscal year 2004 and 2005 to meet debt service requirements of \$1.6 million by 2005.

He stated that the School Boards' adopted budget includes a total savings of \$640,000.00, achieved primarily through personnel, attrition, and energy costs and efficiencies, and it would be difficult to further reduce the budget at this point in the budget cycle since the only option offering a significant amount of cost savings would be to eliminate jobs; however, the School Board is bound by State law to notify professional employees of their employment status by April 15 of each year.

Mr. Lea advised that the School Board requests that the amount of the revenue shortfall to be allocated to the schools be limited to \$378,500.00, or the amount of the revenue adjustment provided to the School Board in April, which would mean that total City revenue to the schools would increase by approximately \$905,000.00, or two per cent. He stated that such action would allow the School Board to achieve its minimum objective for a three per cent average salary increase for employees, which would be one fourth of one per cent less than that adopted in the original budget; a three per cent average salary raise for professional employees, which would maintain the City's competitive position with Roanoke

County and most other neighboring localities, except the City of Salem; in order to balance the budget, the School Board would still be required to phase in the upgrade of elementary school principal salaries, eliminate the site based leadership program, and reduce the increase in the debt service reserve for the high school project by \$100,000.00. He explained that if Council elects to limit the reduction in City revenue to the schools by \$378,500.00, the School Board would be able to finance initiatives in the following areas:

An increase in the employee health insurance premiums - \$600,000.00.

An average salary raise for employees of three per cent - \$1.9 million.

An increase in transportation employees retirement - \$47,500.00.

Assumption of local cost of Round Hill Magnet School aides- \$60,000.00.

New debt service for elementary school projects and an increase in the high school debt service reserve - \$580,000.00.

\$25,000.00 in pass through funds to support a teen health clinic at each high school, and

Because of personnel savings for fiscal year 2003, maintenance of service budget would decline by \$148,000.00.

Chairman Lea advised that the School Board would be able to add \$210,000.00 to the high school debt service reserve, totaling \$950,000.00, with the objective of accumulating a reserve of \$1.6 million by 2005 to finance its share of the cost of the first phase of the high school improvements estimated to be \$78 million. He explained that the time line for high school improvements is on schedule; specific design plans for the high schools will be completed by the winter of 2004 and construction on Patrick Henry High School improvements will start in the late spring of 2004, with a targeted completion date of late fall of 2006, and improvements to William Fleming High School will start in the late spring of 2006, with a targeted completion date in the late fall of 2008.

Chairman Lea noted that Council's pro active role in support of the City's public education system has made Roanoke City Public Schools a leader in providing academically challenging educational programs to children from a variety of cultures and economic backgrounds, and Council's support and approval of the School Board's funding request will continue Roanoke's progress in leading schools to accreditation and ensuring that Roanoke City schools are successful in passing the standards of learning.

At this point, the Mayor entered the meeting.

Ms. Wyatt advised that fiscal year 2003 will be a difficult budget year, and expressed appreciation to the School Board for not cutting positions.

Mr. Hudson commended the School Board for submitting a balanced budget, including a pay increase for school personnel.

Mr. Harris advised that Council will complete its fiscal year 2003 budget study session this morning, and also noted that it has been a difficult budget to address.

Mr. Bestpitch advised that the \$655,000.00 reduction is not a figure that Council or the School administration decided at some point to cut, but is the result of changes in numbers that fit into the funding formula that the City and the Schools have used for a number of years to determine the amount of City revenues that are provided to the School Board; when revenue forecasts change, the percentage that is available based on the funding formula changes as well, therefore, it becomes a major challenge to not only come up with a dollar amount, but to try and evaluate the impact on a process that has worked well in the past. He noted that the City is in this situation not because of anything it has done or failed to do, but because of a number of decisions that have been made at the State level and localities are bearing the brunt of those decisions. He called attention to the responsibility of the City to ensure that citizens understand the reasons why the City is in this position, and as the commission on restructuring of taxes moves forward in its work, citizens must be involved and speak out with regard to necessary changes in the way revenues are collected and distributed in the Commonwealth of Virginia.

The Mayor spoke in support of better financial times. He advised that he would hope that the City would live within its budget, and move forward with a budget that expects the worst, but works to obtain the best, thereby generating more funds for the following year.

Mr. Kelley advised that the City of Roanoke is beginning to fall behind in terms of teacher salaries; and if the State does not come through with additional funds for teacher salaries, the City of Roanoke will be faced with giving educators two to three per cent pay increases and at some point in time, the School Board and City Council will have to come to terms with the question of building schools or eliminating salaries. He asked that Council be aware of this concern because the future could be a question of salaries versus continuation of capital projects over the next three to five years.

The City Manager advised that the City of Roanoke is an active participant in Virginia's First Cities Coalition, a group of 14 older Virginia cities that are concerned about the level of funding that is provided on a state-wide basis, and particularly with regard to urban communities facing significant challenges in education, public safety, human services and other areas. She stated that the First Cities Coalition has made significant public statements about the plight of urban communities; over the next several months, there will be an aggressive public information and education program, and representatives of the 14 communities will address the financial plight of their communities, because the Coalition believes that localities need new revenue and not a redistribution of existing revenue. She called attention to a review of the JLARC report on public education and the fact that the State is not meeting its legal obligations to school systems across the state and there is the possibility of litigation as a way to address the matter. She stated that over the long term, business must be conducted differently, there must be a major restructuring of the way service is delivered, along with who is responsible for providing services, or localities will have to receive new monies.

The City Manager explained that yesterday's budget work session was a difficult meeting because staff shared with Council its recommendations on how to reduce the City's budget by \$1.4 million, which forced Council to likewise reduce the amount that the City is able to set aside for debt service for the future, to reduce the City's already small contingency for next year, and it is anticipated that there will be further reductions as the various State agencies move forward into the budget year as they experience five to seven per cent budget reductions. She stated that with the loss of State revenues, the City's budget will only increase by 1.1 per cent for fiscal year 2003; overall, and the City is firmly committed to sharing those funds with the School Board at the percentage that has been agreed upon; however, the City does not have the funds this year for Council to go beyond what the funding formula represents. She added that the City will vigorously pursue all of the tax revenues that it is entitled to as a community to ensure maximum opportunities to provide for the services needed by the community. She advised that education is a top priority

for the Roanoke community and for City Council, and Council and the School Board must continue to be closer partners in the future and look for ways to avoid duplication of service and reduce expenses in order to make the maximum available for needed services.

There being no further business to come before the Council and the School Board, the Mayor declared the meeting in recess at 9:20 a.m.

The budget study session reconvened at 9:35 a.m., with Mayor Smith presiding, and all Members of the Council in attendance, with the exception of Vice-Mayor Carder.

The City Manager advised that on Thursday, staff received two specific directives from Council, i.e.: the reinstatement of three firefighter positions and the addition of two auditor positions for the Commissioner of the Revenue's Office. She stated that staff was unable to meet with the Commissioner of the Revenue on Thursday, but he has indicated a willingness to talk with staff regarding the positions, how they would be used, and appointment of a revenue committee that would be composed of representatives of all of the activities that have a responsibility for revenue generation. Unless Council has additional changes to be addressed by City staff, she explained that in order to accommodate the inclusion of three firefighter positions back into the complement of Fire/EMS staff, it is proposed to defer the salary increase for City employees by one month, or until July 31, 2002. With reference to the two auditor positions, she stated that since a detailed discussion with the Commissioner of the Revenue has not taken place, and rather than indicate an offset for revenue as a result of the two positions, it is suggested that personnel lapse be increased by an equal amount, and if additional revenues are generated, Council will have an opportunity to make an adjustment at some point during fiscal year 2003.

Ms. Wyatt encouraged the City Manager to give top priority to a technology plan that will lend to the sharing of pertinent information by the Department of Real Estate Valuation, City Treasurer, Commissioner of the Revenue, Office of Billings and Collections and any other revenue producing City departments, so that each department will know what the other is doing via a centralized system, leading to more efficiencies and better service to Roanoke's citizens.

Mr. White encouraged City staff to share the deferral method recommended by the City Manager regarding City employee pay raises with the School administration for consideration in connection with employee raises.

In view of the appointment of a Revenue Committee as previously authorized by Council, Mr. Bestpitch suggested that Council schedule quarterly budget sessions to discuss financial issues so that Members of Council will be better attuned to financial matters as the City moves through the 2003 fiscal year. He suggested that Council discuss the matter at its planning retreat to be held later in the year.

Mr. Harris requested informal quarterly reports by the City Manager on the City's recruitment efforts to fill police officer positions.

Council Member Harris advised that the performance evaluations of Council-Appointed Officers will be conducted at the 12:15 p.m., session of Council on Monday, June 3, 2002, as opposed to conducting the evaluations during budget study session which has been the practice of Council in the past.

There was discussion in regard to recognizing the outstanding contributions of public safety employees and social service employees which could include recognition by Council at a City Council meeting. It was noted that a monthly recognition of public safety employees is jointly sponsored by the Kiwanis Club and the Regional Chamber of Commerce on a valley-wide basis, and when a City employee is recognized by those groups, they could also be invited to the next City Council meeting for purposes of recognition.

There being no further business, the Mayor declared the meeting adjourned at 10:10 a.m.

A P P R O V E D

ATTEST:

City Clerk

Mayor

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REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

July 15, 2002

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, July 15, 2002 at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., (arrived late) C. Nelson Harris, Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend D. Keith Beasley, Pastor, Good Shepherd Lutheran Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

DECEASED PERSONS: Mr. Bestpitch offered the following resolution memorializing the late Murray A. Stoller, who passed away on July 4, 2002:

(#35970-071502) A RESOLUTION memorializing the late Murray A. Stoller, a former City Council member and Mayor of the City of Roanoke.

(For full text of resolution, see Resolution Book No. 65, page 257.)

Mr. Bestpitch moved the adoption of Resolution No. 35970-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

DIRECTOR OF FINANCE-PENSIONS-FINANCIAL REPORTS: The Mayor advised that for the past 28 years, the City of Roanoke has been the recipient of an award for excellence in financial reporting awarded by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports achieve the highest standards in governmental accounting and financial reporting. He presented a plaque to Jesse A. Hall, Director of Finance, for the City's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2001, and a certificate to Anne Shawver, Deputy Director of Finance, with congratulations and appreciation to the entire Department of Finance. He also presented a certificate of financial reporting achievement to Harold Harless, Retirement Plans Accountant.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to one request for a Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council.

MINUTES: Minutes of the regular meeting of Council held on Monday, May 20, 2002, and Monday, June 3, 2002, were before the body.

Mr. Harris moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

COMMITTEES -CITY COUNCIL: A communication from the Mayor requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A) (1), Code of Virginia (1950), as amended, was before Council

Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A) (1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

COMMITTEES-HOUSING/AUTHORITY-ROANOKE ARTS COMMISSION-FIFTH PLANNING DISTRICT COMMISSION-GREENWAY SYSTEM-PENSIONS: The following reports of qualification were before Council:

William D. Bestpitch as a member of the Roanoke Valley Area Metropolitan Planning Organization, for a term ending June 30, 2005;

Sherman V. Burroughs, IV, as a member of the Fair Housing Board, for a term ending March 31, 2003;

Cyril J. Goens for a term ending June 30, 2004, and David C. Key for a term ending June 30, 2006, as members of the City of Roanoke Pension Plan, Board of Trustees;

Frank J. Eastburn and Anna S. Wentworth as members of the Roanoke Arts Commission, for terms ending June 30, 2005; and

Barry W. Baird as a member of the Roanoke Valley Greenway Commission, for a term ending June 30, 2005.

Mr. Harris moved that the report of qualification be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch Carder, Cutler, Harris, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

TOTAL ACTION AGAINST POVERTY-GRANTS: The City Manager submitted a communication advising that historically, Total Action Against Poverty (TAP), has received Community Development Block Grant (CDBG) funds from the City of Roanoke to provide emergency home repair services for elderly and disabled homeowners; on May 13, 2002, Council authorized funding for emergency home repair services to elderly and disabled homeowners, pursuant to Resolution No. 35848-051302, which approved submission of the City's 2002-2003 Consolidated Plan Action Plan to the U. S. Department of Housing and Urban Development (HUD); and on June 17, 2002, Council accepted 2002-2003 CDBG funds, pursuant to Ordinance No. 35914-061702 and Resolution No. 35915-061702.

It was further advised that in order to provide funding for TAP to provide emergency home repairs to elderly and disabled homeowners approved in the City's Consolidated Plan, authorization by Council is needed to execute a subgrant agreement with TAP; and funding is available in Account No. 035-G03-0320-5080 in the amount of \$100,000.00; whereupon, the City Manager recommended that she be authorized to execute a CDBG Subgrant Agreement with Total Action Against Poverty as above described.

Mr. Bestpitch offered the following resolution:

(#35971-071502) A RESOLUTION authorizing the City Manager to enter into the 2002-2003 Community Development Block Grant (CDBG) Subgrant Agreement with Total Action Against Poverty (TAP) and any necessary amendments thereto to provide emergency home repair services for elderly and disabled homeowners.

(For full text of Resolution, see Resolution Book No. 65, page 258.)

Mr. Bestpitch moved the adoption of Resolution No. 35971-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

BUDGET-GRANTS-JUVENILE CORRECTIONAL FACILITIES-YOUTH: The City Manager submitted a communication advising that the Aggression Replacement Training and Education Program is an anger control program operated by Sanctuary Crisis Intervention staff, which is designed to increase public safety and provide accountability to assaultive youth; the pilot for the program had a 94 per cent success rate and continues to be a valuable addition to the continuum of services available in the treatment of juvenile offenders; and ARTEP provides a less costly alternative than incarceration of juvenile offenders and increases options available to juvenile court judges.

It was further advised that this is the fourth year in a five-year funding cycle, with increasing local responsibility for funding; revenue from Juvenile Justice and Delinquency Prevention Title II has decreased to 50 per cent of the project total in the fourth year; revenues from JJDP will decrease to 25 per cent of the project total in the fifth year, to allow for local assumption of costs; and grant local cash match for this year is \$35,143.00 and in fiscal year 2003-2004, local match will be \$52,714.00.

The City Manager recommended that Council adopt a resolution accepting \$35,143.00 in Federal Funds from the Department of Criminal Justice Services, Grant No. 03-D3256JJ02, from Sanctuary’s Aggression Replacement Training and Education Program; that the City Manager be authorized to execute the required Grant Acceptance, Request for Funds and any other forms required by the Department of Criminal Justice Services, in order to accept funds; and that Council appropriate \$35,143.00 in State funds to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance, the local match for said grant is included in the Crisis Intervention Center budget.

Mr. Bestpitch offered the following budget ordinance:

(#35972-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 259.)

Mr. Bestpitch moved the adoption of Ordinance No. 35972-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following resolution:

(#35973-071502) A RESOLUTION authorizing the acceptance of a Juvenile Justice and Delinquency Prevention Title II Grant from the Department of Criminal Justice Services for the City's Crisis Intervention Center (Sanctuary) Aggression Replacement Training and Education Program; and authorizing the execution of the necessary documents.

(For full text of Resolution, see Resolution Book No. 65, page 260.)

Mr. Bestpitch moved the adoption of Resolution No. 35973-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

HOUSING/AUTHORITY-GRANTS-NEIGHBORHOOD ORGANIZATIONS: The City Manager submitted a communication advising that historically, the Northwest Neighborhood Environmental Organization (NNEO) has received Community Development Block Grant (CDBG) funds from the City of Roanoke to conduct housing and other community development projects in the Gilmer neighborhood; the original agreement for the NNEO "McCray Court Senior Living" project was executed on September 26, 2000, and provided \$300,000.00 in CDBG funds; on May 7, 2001,

Council authorized funding for continued architectural and engineering and construction costs associated with the “McCray Court Senior Living” project, pursuant to Resolution No. 35319-050701, which approved submission of the City’s Annual Update to the Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD); and on June 18, 2001, Council accepted 2001-2002 CDBG funds, pursuant to Ordinance No. 35406-070201 and Resolution No. 35407-061801.

It was further advised that on May 13, 2002, Council authorized funding for continued architectural, engineering and construction costs associated with the “McCray Court Senior Living” project, pursuant to Resolution No. 35848-051302, which approved submission of the City’s Annual Update to the Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD); and on June 17, 2002, Council accepted 2002-2003 CDBG funds, pursuant to Ordinance No. 35914-061702 and Resolution No. 35915-061702.

The City Manager advised that a second amendment to the Agreement with NNEO is necessary in order to provide additional funds for NNEO to continue to develop the McCray Court Senior Living project; funding is available in Account No. 035-G03-0337-5297, in the amount of \$277,750.00, which allocation will fulfill the City’s financial commitment to NNEO in support of the McCray Court Senior Living Program; whereupon, the City Manager recommended that she be authorized to execute Amendment No. 2 to “McCray Court Senior Living” Subgrant Agreement with NNEO.

Mr. Bestpitch offered the following resolution:

(#35974-071502) A RESOLUTION authorizing the execution of Amendment No. 2 to a Subgrant Agreement dated September 26, 2000, between the City and the Northwest Neighborhood Environmental Organization, Inc., for additional funding to develop the McCray Court Senior Living Project.

(For full text of Resolution, see Resolution Book No. 65, page 261.)

Mr. Bestpitch moved the adoption of Resolution No. 35974-071502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

LEASES-TELEPHONE EQUIPMENT-WATER RESOURCES-EQUIPMENT: The City Manager submitted a communication advising that Council approved and adopted the City of Roanoke Policy with regard to Wireless Telecommunications Facilities located on City property dated January 21, 1997, in accordance with a recommendation set forth in a report of the Water Resources Committee dated February 3, 1997; the City currently has lease agreements with two wireless communication providers: Triton PCS Property Company, L.L.C., and Virginia PCS Alliance, L.C., also doing business as NTELOS, which allows placement of equipment on the City's water tanks and the following property: Triton and Virginia PCS have leases for the following three water tanks: (1) the Grandin Court (also called Creston Avenue) Elevated Water Tank No. 1, (2) the Summit Water Tank, and (3) the Washington Heights Water Tank, Triton also has a lease for the Mount Pleasant Water Tank; and the term of each initial lease expires on July 31, 2002, and each lease provides for up to two five year renewals, upon mutual agreement of the parties.

It was further advised that the monthly rental was established in the terms of the first five year lease period at \$750.00 per month, plus the increase in the Consumer Price Index for each subsequent year; City staff conducted a market survey in the fall of 2001 and found the current market value of these sites to be considerably higher; the new rate schedule average over the five year lease is \$1,445.00 per month; as required by lease agreements, the companies were contacted in writing by the City, provided a new rate schedule, and requested to respond by advising the City if they desired to renew their leases under the new rental rate terms; each provider has responded and expressed a desire to renew the lease agreements in accordance with the new rate structure, which will be effective August 1, 2002; and each lease renewal will be for a period of five years, from August 1, 2002, through July 31, 2007, with a provision for up to one additional five year renewal upon mutual agreement of the parties, with other terms and conditions of the leases to continue in force as currently set forth.

The City Manager recommended that Council approve lease renewals as set forth above that will provide for increased rental payments to the City, and authorize the City Manager to execute such lease renewal agreements with Triton PCS Property Company, L.L.C., and Virginia PCS Alliance, a Virginia Limited Liability Company, also d/b/a/ NTELOS, such agreements to be in a form approved by the City Attorney; and that the City Manager be authorized to take such further actions or execute such additional documents as may be necessary to implement and administer such agreements.

Mr. Carder offered the following ordinance:

(#35975-071502) AN ORDINANCE authorizing the proper City officials to enter into Lease Renewal Agreements between the City and Triton PCS Property Company, L. L. C. (Triton) for use of a portion of the following four City owned water tanks and sites on which those water tanks are located: the Washington Heights Water Tank; the Summit Water Tank; the Mount Pleasant Water Tank; and the

Grandin Court Elevated Water Tank No. 1 (also known as Creston Avenue Elevated Water Tank No. 1); providing that such use shall be for the placement, operation, and maintenance of personal communication system antennas and related equipment, upon certain terms and conditions; authorizing the City Manager to take such further actions and execute such additional documents as may be necessary to implement and administer such Agreements; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 262.)

Mr. Carder moved the adoption of Ordinance No. 35975-071502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Carder offered the following ordinance:

(#35976-071502) AN ORDINANCE authorizing the proper City officials to enter into Lease Renewal Agreements between the City and Virginia PCS Alliance, L. C., a Virginia Limited Liability Company also d/b/a NTELOS (Virginia PCS) for use of a portion of the following three City owned water tanks and sites on which those water tanks are located: the Washington Heights Water Tank; the Summit Water Tank; and the Grandin Court Elevated Water Tank No. 1 (also known as Creston Avenue Elevated Water Tank No.1); providing that such use shall be for the placement, operation, and maintenance of personal communication system antennas and related equipment, upon certain terms and conditions; authorizing the City Manager to take such further actions and execute such additional documents as may be necessary to implement and administer such Agreements; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 264.)

Mr. Carder moved the adoption of Ordinance No. 35976-071502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

SWIMMING POOLS-LEASES: The City Manager submitted a communication advising that Roanoke Valley Swimming, Inc., (RVSI) was created in 1988 as a 501(c)(3) non-profit corporation to develop and promote a local competitive swimming team; on June 10, 1991, RVSI leased 1.366 acre from the City for construction and operation of an indoor swimming pool; the facility was subsequently named the Gator Aquatic Center ("Facility"); a ten-year Deed of Lease Agreement with RVSI was authorized by Council, pursuant to Ordinance No. 30534-52891, which expired on June 10, 2001; following considerable discussion and negotiations, the parties have agreed to amend the lease by executing a Deed of Lease Extension, to provide for two additional five year terms, upon certain additional terms and conditions; the proposed extension provides for continued use of the facility by RVSI and the Roanoke City School System "Learn to Swim Program;" and extension also allows the Gator Swim Team to use City outdoor pools up to 290 hours per summer for practice and increases the City's use of the facility from six to 12 hours per week, which usage is nearly twice the current public use of the facility as permitted under the lease.

The City Manager recommended that she be authorized to execute a Deed of Lease Extension, approved as to form by the City Attorney.

Mr. Carder moved that the following ordinance be placed upon its first reading:

(#35977) AN ORDINANCE authorizing the proper City officials to enter into a Deed of Lease Extension between the City of Roanoke and Roanoke Valley Swimming, Inc., for the lease and operation of certain City-owned property known as the Gator Aquatic Center, upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 65, page 266.)

The motion was seconded by Mr. Bestpitch.

Douglas Fonder, representing Roanoke Valley Swimming, Inc., 4725 Garst Mill Road, S. W., advised that in 1991, there was considerable fanfare regarding a joint venture to construct the Gator Aquatic Center, the future of aquatics, and the Gator Aquatic Center serving as the center point of the Roanoke Valley. He stated that 11 years later the facility consists of an eight lane, 25 foot swimming pool, two restrooms, two small multi-purpose rooms and a large parking area. He noted that approximately 3500 students participate in a learn to swim program, Virginia Western Community College swim classes are held at the facility, Cave Spring High School, Patrick Henry High School and William Byrd High School use the facility for their swim teams, other activities include a water aerobics program under the

auspices of the City of Roanoke Department of Parks and Recreation, scuba diving and kayaking for the Roanoke Valley, and a masters adult swim program. He stated that the facility is open from 5:00 a.m. to 9:00 p.m., Monday - Friday and from 9:00 a.m. - 7:00 p.m. on Saturday and Sunday, and approximately 70 families fund the majority of the \$250,000.00 per year operating expenses of the facility. He advised that an expanded Gator Aquatic Center could better serve the needs of the community; however, the Board of Directors was informed that in view of current economic times, the City of Roanoke could not provide assistance with funding, although shortly thereafter, it was reported by the news media that the City had made a \$2 million donation to the YMCA aquatics program. Therefore, he questioned where the Gator Aquatic Center fits in with the overall scheme of activities in the Roanoke Valley.

Ordinance No. 35977 was adopted on first reading by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt,
and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

ARMORY/STADIUM-LEASES: The City Manager submitted a communication advising that the City of Roanoke and the Commonwealth of Virginia, Department of Military Affairs (DMA), agreed on June 28, 1954, to construct an Armory to be utilized by the Virginia National Guard; the original use agreement stated that upon completion of the Armory, the National Guard was permitted to use the facility, rent free, for 25 years; at the end of the original 25 years, the Armory became the property of the City of Roanoke, and the National Guard was permitted to continue its use of the facility at no charge as a condition of the original agreement; and the City has continued to pay all maintenance and utility costs since completion of the Armory, despite the City's limited use of the facility.

It was further advised that the agreement signed by the City and the Department of Military Affairs (DMA) in 1954 expired over 20 years ago, without a new agreement ever having been executed; DMA is exploring options to construct a new facility, but desires to remain in the current City owned Armory until a new facility may be constructed; a new agreement has been proposed that permits the National Guard to continue its use of the Armory at no charge; the City will also be permitted to use the facility simultaneously on an as needed basis; however, due to the City's limited use, DMA will begin paying all utilities, custodial, and operational maintenance costs; the City will continue to handle all capital maintenance for the facility and maintenance of the grounds; the City will realize potential savings of \$50,000.00, with the proposed new agreement; and term of the proposed agreement is five years, with either party having the option to terminate the agreement upon 12 months notice.

The City Manager recommended that she be authorized to offer and execute a new Use Agreement between the City of Roanoke and the Commonwealth of Virginia, Department of Military Affairs, as above described:

Mr. Bestpitch offered the following ordinance:

(#35978-071502) AN ORDINANCE authorizing the City Manager to enter into a permit agreement with the Commonwealth of Virginia Department of Military Affairs, for the use of City-owned property located at the National Guard Armory for use by the Department of Military Affairs, upon certain terms and conditions; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 267.)

Mr. Bestpitch moved the adoption of Ordinance No. 35978-071502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

BUILDINGS/BUILDING DEPARTMENT-PARKS AND RECREATION-SCHOOLS:
The City Manager submitted a communication advising that the present Joint Use Agreement between the City of Roanoke and the City of Roanoke School Board was adopted by Council on November 11, 1957, pursuant to Resolution No. 13236 between the School Board and the Parks and Recreation Department; the purpose of the proposed Joint Use Agreement is to assist in planning the development and use of facilities in a manner which maximizes the benefits to the citizens of the City of Roanoke; and the agreement provides for purchase of property for school facilities, purchase of property adjacent to school facilities for community use or school use, construction of new school facilities, expansion or renovation of existing school facilities, and use and maintenance of school and park facilities in a manner which will enhance the cultural, recreational, athletic and educational opportunities for the citizens of Roanoke.

It was further advised that Council directed the City Manager to review and update the policies for property owned by the City of Roanoke and managed by the Department of Parks and Recreation that are jointly used by the School Board and Parks and Recreation; the agreement covers more than property which is managed by the Department of Parks and Recreation, updates Joint Use policies to fit today's

standards, and further emphasizes the City/School partnership, as well as the need to maximize facility use and development; the proposed agreement may be terminated by either party for any cause after providing 60 days written notice; and the School Board has approved the proposed agreement.

The City Manager recommended that she be authorized to execute the proposed Joint Use Agreement with the Roanoke City School Board, subject to approval as to form by the City Attorney.

Mr. Carder offered the following resolution:

(#35979-071502) A RESOLUTION authorizing the City Manager to execute a joint use agreement between the City of Roanoke and the City of Roanoke School Board which relates to practices and policies pertaining to the purchase of property for school facilities, the purchase of property adjacent to school facilities for community use or school use, the construction of new school facilities, the expansion or renovation of existing school facilities, and the use and maintenance of school and park facilities, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 65, page 267.)

Mr. Carder moved the adoption of Resolution No. 35979-071502. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

BONDS/BOND ISSUES-BUDGET-HOUSING/AUTHORITY-RIVERSIDE CENTRE:
The City Manager submitted a communication advising that on March 19, 2001, Council executed a Cooperation Agreement with the Roanoke Redevelopment and Housing Authority (RRHA) to develop the Riverside Centre for Research and Technology; on March 19, Council also approved entering into a Performance Agreement with Carilion Health System (CHS) and Carilion Biomedical Institute (CBI) that stated the City's dedication to the project and CBI's intention of being one of the first tenants of the new park; and on March 19, 2001, Council approved the Redevelopment Plan for the South Jefferson Redevelopment Area.

It was further advised that in the past 15 months, the Housing Authority has begun to purchase the required sites for development by CHS/CBI as a part of Phase 1 of the project, as well as move businesses from the area to other sites; the budget approved in the Cooperation Agreement with the Housing Authority is \$14.0 million;

last year \$5.0 million was appropriated (\$4.0 million from bond proceeds and \$1.0 million from Capital Projects Fund interest earnings) and the Housing Authority has spent most of the funds in acquiring land and relocating businesses, as well as environmental studies and remediation for the area; and at this time, expenses of the Housing Authority for Phase 1 have been within original expectations of the City of Roanoke and the Housing Authority.

It was explained that redeveloping the South Jefferson area into the Riverside Centre for Research and Technology is a priority of the City of Roanoke, and in order to keep the project on target, additional funds need to be made available to the Housing Authority; and Riverside Centre is expected to provide one million square feet of building space, attract \$7 million of private investment and provide over 1000 new technical jobs.

The City Manager recommended that Council appropriate \$8 million from Series 2002 Bond Proceeds, Account No. 008-530-9711, to the South Jefferson project, Account No. 008-052-9633, which will allow the Housing Authority to continue the work outlined in the Cooperation Agreement dated March 19, 2001; and these funds are a part of the \$14 million approved by Council for the project on March 19, 2001.

Mr. Harris offered the following budget ordinance:

(#35980-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 268.)

Mr. Harris moved the adoption of Ordinance No. 35980-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

DONATIONS/CONTRIBUTIONS-ARMORY/STADIUM-ROANOKE CIVIC CENTER:
The City Manager submitted a communication advising that pursuant to authorization by Council, the City Manager has acquired several properties across Orange Avenue from the Roanoke Civic Center for the purpose of constructing a multipurpose Stadium/Amphitheater facility; and Mr. Calvin Powers has agreed to donate a parcel of land to the City for the project containing approximately one-half acre, identified as Official Tax No. 3070321.

The City Manager recommended that she be authorized to accept the above described donation of property, subject to satisfactory environmental site inspection.

Mr. Bestpitch offered the following ordinance:

(#35981-071502) AN ORDINANCE providing for the acceptance of certain property rights needed by the City for the Stadium/Amphitheater Project, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 269.)

Mr. Bestpitch moved the adoption of Ordinance No. 35981-071502. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Council requested that a letter of appreciation be forwarded to Mr. Calvin Powers for his generous donation to the City.

BUDGET-FLEET MAINTENANCE FUND: The City Manager submitted a communication advising that in prior years, all fuel purchases were handled by the City's Materials Control Fund; however, at the close of fiscal year 2002, the Materials Control Fund was closed due to discontinuation of the central warehouse function and all responsibilities related to the purchase of fuel were reassigned to the Fleet Management Fund; fuel for the City's underground tanks will be purchased by the Fleet Management Fund and subsequently billed to departments through the same billing process as in prior years; budget increases of an equal amount in the Fleet Management Fund's revenue and expense estimates are needed for fiscal year 2003 to account for new responsibilities; and such recommended adjustments do not have a material impact on the City's General Fund Budget.

The City Manager recommended that Council adopt a measure amending the revenue and expenses of the Fleet Management Fund for fiscal year 2003.

Mr. Carder offered the following budget ordinance:

(#35982-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Fleet Management Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 270.)

Mr. Carder moved the adoption of Ordinance No. 35982-071502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

CITY EMPLOYEES-JUVENILE CORRECTIONAL FACILITY-YOUTH: The City Manager submitted a communication advising that the Roanoke Valley Detention Commission was established by the Cities of Roanoke and Salem and the Counties of Botetourt, Franklin and Roanoke; the Commission was created to renovate and construct an addition to the existing City Detention Center to increase the rated capacity to an 81 bed facility and to equip, maintain, and operate the Center; and construction and renovation is now complete, allowing the Center to operate at full capacity.

It was further advised that in August 1998, the Director of Finance was appointed by Council to serve as the temporary fiscal agent for the Commission; the City also contracted to provide accounting, payroll and retirement administrative services for the Commission at a fee of \$40,000.00 annually; the Commission has acquired software and established accounting procedures to perform accounting services in-house, effective July 1, 2002, and anticipate assuming the responsibility of processing payroll in-house effective January 1, 2003; a proposed Administrative Services Agreement provides for the City to transition accounting services and provide payroll services for the Commission through December 31, 2002, for a fee of \$22,500.00; and the City of Roanoke will continue to provide retirement administrative services for the Commission, to be determined by the annual Cost Allocation Plan for years beginning on and after July 1, 2003.

The City Manager recommended that she be authorized to execute an agreement to provide for accounting, payroll and pension services for the Roanoke Valley Detention Commission.

Mr. Bestpitch offered the following resolution:

(#35983-071502) A RESOLUTION authorizing execution of an Administrative Services Agreement between the City of Roanoke and the Roanoke Valley Detention Commission, relating to the provision by the City of accounting, payroll and retirement administrative services for the Commission.

(For full text of Resolution, see Resolution Book No. 65, page 271.)

Mr. Bestpitch moved the adoption of Resolution No. 35983-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

AIRPORT-BUDGET-REGIONAL COMPETITIVENESS ACT: The City Manager submitted a communication advising that prompted by a desire to enhance air service to and from the Roanoke Regional Airport, in January, 2001, the City applied for a \$50,000.00 grant under the Regional Competitiveness Program, a State-funded program administered by the Fifth Planning District Regional Alliance; funds were to serve as the seed from which to grow a subsidy pool of over \$800,000.00 to attract a carrier to increase low-cost daily flights between Roanoke and Dulles International Airports and in March, 2001, the City received notice that its proposal was being allocated \$45,000.00; since that time, the City has reviewed its intended project concept and determined that a preliminary stage was needed to help focus development efforts; a request was made to the Regional Alliance in January, 2002, to allow the award to be used for consultant services, which would help create the public-private partnerships and action plans required to make progress; and final agreement on terms of the revised use of funds was reached in May, 2002.

It was further advised that the terms of the revised agreement with the Regional Alliance provide for a grant of \$25,000.00 for consulting services, subject to the City providing an equal amount of matching funds; to expedite air service development activities, the City has engaged the services of Barry E. DuVal, President and CEO of Kaufman & Canoles Consulting, LLC, Newport News, Virginia; the one-year consulting services agreement began April 1, 2002, and provides a monthly retainer of \$4,100.00, for a total compensation of \$49,200.00, plus a maximum of \$12,000.00 for normal business expense reimbursements; the maximum total commitment of \$61,200.00 for consulting services will be supported by the \$25,000.00 grant of Regional Competitiveness Program funds and a commitment of \$12,500.00 from Roanoke County, with the balance of \$23,700.00 to be provided from the City Manager's Contingency; and City and County contributions will also fully satisfy the match requirement to receive Regional Competitiveness Funds.

The City Manager recommended that Council accept \$25,000.00 in Regional Competitiveness Program funds and the commitment of \$12,500.00 from Roanoke County, and appropriate said funds to an account to be established by the Director of Finance; and that Council approve transfer of \$23,700.00 from the Contingency to the newly-established account.

Mr. Carder offered the following budget ordinance:

(#35984-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 272.)

Mr. Carder moved the adoption of Ordinance No. 35984-071502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

(Council Member Dowe was absent.)

DIRECTOR OF FINANCE:

BUDGET: The Director of Finance submitted a written report advising that at the close of fiscal year 2002, budgeted funds were obligated for outstanding encumbrances; purchase orders or contracts were issued for goods and services as of the close of fiscal year 2002, but delivery of the goods or performance of the services had not been completed; and reappropriation of the funds carries forward the unspent budgets that were originally appropriated and are contractually obligated for the goods and services, as follows:

General Fund	\$ 2,433,798.00
Water Fund Open Encumbrances	339,381.00
Water Pollution Control Fund Open Encumbrances	385,331.00
Civic Facilities Fund Open Encumbrances	202,085.00
Parking Fund Open Encumbrances	3,250.00
Department of Technology Fund Open Encumbrances	83,903.00
Fleet Management Fund	512,179.00
School Fund Open Encumbrances	1,502,419.00
School Food Services Fund Open Encumbrances	6,330.00

The Director of Finance recommended that Council adopt budget ordinances to reappropriate the above referenced funds into the current year budgets, in order that encumbrances may be properly liquidated.

Mr. Bestpitch offered the following budget ordinance:

(#35985-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 274.)

Mr. Bestpitch moved the adoption of Ordinance No. 35985-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35986-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Water Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 276.)

Mr. Bestpitch moved the adoption of Ordinance No. 35986-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35987-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Water Pollution Control Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 277.)

Mr. Bestpitch moved the adoption of Ordinance No. 35987-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35988-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Civic Facilities Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 278.)

Mr. Bestpitch moved the adoption of Ordinance No. 35988-071502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35989-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Parking Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 279.)

Mr. Bestpitch moved the adoption of Ordinance No. 35989-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35990-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Department of Technology Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 280.)

Mr. Bestpitch moved the adoption of Ordinance No. 35990-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35991-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Fleet Management Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 280.)

Mr. Bestpitch moved the adoption of Ordinance No. 35991-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35992-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 281.)

Mr. Bestpitch moved the adoption of Ordinance No. 35992-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Mr. Bestpitch offered the following budget ordinance:

(#35993-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School Food Service Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 282.)

Mr. Bestpitch moved the adoption of Ordinance No. 35993-071502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A report of the Roanoke City School Board requesting appropriation of funds to the following school accounts, was before Council.

\$54,081.00 for the Comprehensive School Reform (CSR) Grant to provide for replication of successful intervention programs from other school divisions at Forest Park Elementary School; Forest Park will implement a basic skills program that includes staff development and remedial skills instruction, which program will be one 100 per cent reimbursed by Federal funds.

\$54,081.00 for the Comprehensive School Reform (CSR) Grant to provide for replication of successful intervention programs from other school divisions at Highland Park Elementary School; Highland Park will implement a basic skills program that includes international baccalaureate math, and reading skills instruction, which continuing program is 100 per cent reimbursed by Federal funds.

\$54,081.00 for the Comprehensive School Reform (CSR) Grant to provide for replication of successful intervention programs from other school divisions at Round Hill Montessori Magnet Primary School; Round Hill will implement a basic skills program that includes staff development and remedial skills instruction, which continuing program is 100 per cent reimbursed by Federal funds.

\$54,081.00 for the Comprehensive School Reform (CSR) Grant to provide for replication of successful intervention programs from other school divisions at Preston Park Elementary School; Preston Park will implement a basic skills program that includes staff development and remedial skills instruction, which continuing program is 100 per cent reimbursed by Federal funds.

\$37,565.00 for the 2003 Title III Grant to provide services to students with limited English proficiency and to immigrant children, which new program is 100 per cent reimbursed by Federal funds.

The Director of Finance submitted a written report recommending that Council concur in the request of the School Board.

Mr. Carder offered the following budget ordinance:

(#35994-071502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 283.)

Mr. Carder moved the adoption of Ordinance No. 35994-071502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MEMBERS OF COUNCIL:

BUDGET-LEGISLATION-SCHOOLS: Council Member Wyatt distributed information with regard to the Elementary and Secondary Education Act, the President's "Leave No Child Behind" bill, which involves financial and other implications for localities.

WATER RESOURCES: Council Member Bestpitch commended the Mayor for his statement as reported in a recent article in The Roanoke Times regarding the lack of involvement by politicians at this point in the development of an agreement

between Roanoke City and Roanoke County for a regional water authority. He concurred in the Mayor's remarks that this is the time to trust the City Manager and her staff and the County Administrator and his staff to work out the necessary details and advised that in the near future, Council Members will have an opportunity to be involved in the process.

At this point, Council Member Dowe entered the meeting.

WATER RESOURCES: Council Member Cutler referred to conversations with elected officials from Roanoke County and Bedford County, who are supportive of a regional approach to a water authority, and advised that he looks forward to participating in the process at the appropriate time.

ECONOMIC DEVELOPMENT: Council Member Carder requested that the City Manager present a measure for consideration by Council in support of efforts of the Fifth Planning District Regional Alliance: Regional Economic Strategy, with regard to a regional economic development policy.

BUDGET-TAXES-FIRST CITIES COALITION: Council Member Carder addressed issues facing Virginia localities and Virginia's First Cities Coalition, specifically tax restructuring, personal property, Business, Professional and Occupational License taxes, replacement revenues, and the importance of educating citizens at the local level on State funding implications.

POLICE DEPARTMENT-BUDGET-LEGISLATION: Council Member Wyatt referred to HB 599 revenue that the State has given and taken away on several occasions, and advised that simply because the Commonwealth of Virginia states that it will replace revenue does not provide a guaranteed revenue stream.

BUDGET-SCHOOLS: Council Member Cutler advised that it was noted at the newly Elected Officials' Conference sponsored by the Virginia Municipal League in Charlottesville, Virginia, on July 10-12, 2002, that the States of Mississippi and Alabama spend more per capita on education than does the Commonwealth of Virginia.

BUDGET-TAXES: Council Member Bestpitch inquired as to what percentage increase in the overall State income tax would be required to make up the difference if the General Assembly eliminates the personal property and the Business, Professional and Occupational License taxes.

TAXES-LEGISLATION-FIRST CITIES COALITION: Vice-Mayor Harris inquired about the status of litigation previously discussed by Virginia's First Cities Coalition; whereupon, the City Manager advised that the option is still in the process of evaluation. Vice-Mayor Harris advised that Council should proactively involve the

City's legislative delegation to the General Assembly so that legislators will be aware of the amount of funds that personal property and Business, Professional and Occupational License taxes generate for the City of Roanoke. He suggested that the matter be addressed by the City's Legislative Committee.

COMMITTEES-SCHOOLS: Vice-Mayor Harris referred to the resignation of William E. Skeen as a Trustee of the Roanoke City School Board, effective July 24, 2002, and called attention to the following schedule proposed by the City Clerk to fill the vacancy:

- | | | |
|-------------|---|---------------------------------------------------|
| July 18 | - | Advertise for applications |
| August 1 | - | Deadline for receipt of applications |
| August 19 | - | Public hearing |
| September 3 | - | Appointment by Council to fill the unexpired term |

STATE OF THE CITY REPORT: The Mayor advised that on July 25, 2002, at 7:30 a.m., he will present the annual State of the City Address at the Wyndham Roanoke Airport Hotel, sponsored by the Roanoke Regional Chamber of Commerce, and encouraged those persons interested in attending to call the Chamber of Commerce or the City Clerk's Office.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

No citizens requested to be heard under this agenda item.

CITY MANAGER COMMENTS:

WATER RESOURCES: The City Manager expressed appreciation for the support of the Mayor and Members of Council by permitting the Administrations of Roanoke City and Roanoke County to address the regional water authority issue, and advised that both the City Manager and the County Administrator believe that there will be a favorable outcome for the citizens of the Roanoke Valley.

AIRPORT-BUDGET-REGIONAL COMPETITIVENESS ACT: The City Manager referred to Regional Competitiveness Act funds which were appropriated earlier during the meeting and advised that once again, the City of Roanoke and Roanoke County have participated in a joint funding relationship that will provide for engagement of a consultant to help improve air service for the Roanoke Valley region.

CITY EMPLOYEES-COMMUNITY PLANNING: The City Manager introduced the Director of Planning, Building and Development, R. Brian Townsend, who officially assumed his duties on Monday, July 15, 2002.

DECEASED PERSONS: The City Manager advised of the death of S. Elaina Loritts, who was a champion for neighborhoods and served on the City's Fair Housing Board and the Roanoke Neighborhood Partnership Steering Committee, on Sunday, July 14, 2002.

At 3:20 p.m., the Mayor declared the meeting in recess for one closed session.

At 3:50 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Dowe moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt, and Mayor Smith-----7.

NAYS: None-----0.

At 3:55 p.m., the Mayor declared the meeting in recess to be reconvened at 5:00 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., for the purpose of holding a joint meeting of Council and the Architectural Review Board.

COUNCIL-ARCHITECTURAL REVIEW BOARD: The Council meeting reconvened at 5:00 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, for a joint meeting of Council and the Architectural Review Board, with Mayor Ralph K. Smith and Chairman Robert N. Richert presiding.

COUNCIL MEMBERS PRESENT: William D. Bestpitch, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith—6.

ABSENT: Council Member William H. Carder-----1.

ARCHITECTURAL REVIEW BOARD MEMBERS PRESENT: Kevin A. Deck, Robert B. Manetta, and Chairman Robert N. Richert -----3.

ABSENT: Alison S. Blanton, Donald C. Harwood, Matthew Preston and James Schlueter-----4.

OTHERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; Robert B. Townsend, Director of Planning, Building and Development; Martha P. Franklin, Administrative Assistant, Planning Building and Development; Steven J. Talevi, Assistant City Attorney, II; and Rolanda Johnson, Assistant City Manager for Community Development

ZONING/HISTORIC DISTRICTS IN THE COTTON MILL/JEFFERSON CENTER AREA AND AREA NORTH OF THE HOTEL ROANOKE:

Chairman Richert advised that the City Planning Commission will hear a request for rezoning of property known as the Cotton Mill in the vicinity of Marshall Avenue and Luck Avenue, S. W., which property is located in the H-2, Historic District. He stated that the block that the Cotton Mill faces extends between 5th and 6th Streets, Marshall and Luck Avenues, and is surrounded on three sides by the historic district, Jefferson Center on the north, Calvary Baptist Church and the Cotton Mill on the west, and Marshall Avenue on the south, and in view of the Downtown Roanoke Plan and the City's Comprehensive Plan, it would appear that the City Planning Commission should address the entire block, as opposed to piecemeal parcels of land. He noted that if planning is done in terms of downtown and the City's desire to move development of downtown into "uptown" where the Jefferson Center and the Cotton Mill are located, more property than just the Cotton Mill should be considered in terms of planning, since whatever is constructed in that part of the City has a direct impact on the H-2, Historic District.

Mr. Richert called attention to current restoration of the "Moses Building" at the corner of Gilmer Avenue and North Jefferson Street, which is located in the historic district, however, that part of the historic district is not listed on the State or National Register of Historic Landmarks; therefore, property owners are not eligible for tax credits and certain other privileges that make historic preservation economically viable. He added that it is not clear as to which parts of the historic district are included on the State and National Register of Historic Places.

Chairman Richert referenced the new YMCA building and whether it compliments The Jefferson Center; whereupon, the City Manager advised that concept designs are more modern and have been used for fund raising purposes, but the design is not so far along in the process that any portion cannot be changed. She stated that those persons who are engaged in YMCA project design should understand the sensitivities of the area.

The City Manager suggested that Mr. Richert discuss his concerns regarding the Cotton Mill and the Moses building with the City's zoning ordinance consultant.

With regard to construction of any new and large structure, Mr. Richert expressed the fear that the City could end up with a block long, brick wall building; the City's Comprehensive Plan refers to a pedestrian friendly environment and cautioned that new buildings should not be designed from the inside out in such a way as to create a pedestrian unfriendly environment. In the construction of modern buildings within the historic district, he stated that planners should be careful that they do not place themselves in the position of trying to re-create buildings that were not originally there, but instead address the matter in terms of scale and those kinds of things that make new buildings blend in and compliment the historic district.

Mr. Bepitch referred to the two concerns above referenced by Mr. Richert; i.e.: inclusion of the two blocks in the area of the Cotton Mill property and any other area where there may be potential development, which are on the periphery of the historic district, into the historic district; and whether all properties in the historic district that should be on the historic register are actually included. He suggested that the Architectural Review Board and City staff review the matters and submit recommendations to Council.

There was discussion with regard to the IMAX Theatre in which the following observations were made:

One of the things that makes the IMAX Theatre exciting is the fact that it will be unlike any other structure in the City. There seems to be a goal to make sure that buildings work in cohesion with the character of the neighborhood, and caution should be exercised to ensure that local buildings do not all look the same.

It is favorable to have infusion of ideas from other parts of the state or country. Will planners have the opportunity to "step out of the box", because the City has the ability and the experience to plan innovative projects?

The IMAX Art Museum complex should not be built as a background building. Much of the fabric of the City consists of background buildings which are not intended to catch the eye, but contribute to the overall sense of the community. Currently, there is a need for opportunities to construct buildings that are eye catching, and there is an openness on the part of the Architectural Review Board for that kind of expression.

Infill housing is a challenge in the historic district.

REGULATION OF WORK IN CITY RIGHTS-OF-WAY:

Mr. Richert advised that there has been a determination by the City Attorney's Office that the rights-of-way within the historic districts are within the purview of the Architectural Review Board, which creates certain opportunities as well as certain problems for the Board. He stated that when discussing rights-of-way, which include not only City utilities and street paving, etc., but Cox Cable, Verizon, American Electric Power, Roanoke Gas Company, or any other party that uses the public rights-of-way to conduct business within the City, appropriate guidelines are needed. He added that the matter is not so much an issue in the H-1 District where the City has already taken a position that all infrastructure will be underground, but much more of an issue in the H-2 District since most of the utilities are above ground, creating a visual clutter in certain areas. He stated that the Architectural Review Board will work with City staff to develop specific guidelines, and advised that residential areas in the historic districts suffer from ambivalence relative to power lines, telephone lines, and the location of satellite dishes.

At this point, 6:00 p.m., Council Member Harris left the meeting.

The City Manager advised that City staff is reviewing the matter to determine whether changes should be recommended to Council because management of what happens in the City rights-of-way has not routinely fallen under the jurisdiction of the Architectural Review Board, and the City has not experienced any problems to date. She stated that the City cannot impede the progress of certain activities and while there is a strong desire on the part of many people in the Roanoke community to place public utilities in alleys, there have been extensive discussions with the utility companies that have not expressed an interest in doing so. She explained that undergrounding utilities, is expensive; therefore, rather than mandate that these activities to be reviewed by the Architectural Review Board, another option is for Council to consider removing the language, however, no recommendation has been made to date by staff. She called attention to the need for an evaluation of the matter because the City has been installing street lights, etc., in the historic district for many years without any problem.

Mr. Manetta asked that representatives of the Architectural Review Board be included in the discussions.

There was discussion in regard to illumination of lights and dusk to dawn lights, in which it was pointed out that there are citizen concerns in regard to the types of light fixtures and the way light, not only private light but public light, trespasses on the rights of citizens.

Mr. Deck spoke in support of flexibility that would allow the Architectural Review Board to continue to have purview over certain items that make up the street scape, i.e.: bicycle racks, lamp posts, benches, etc., which are part of the pedestrian experience in downtown, and asked that he be included in discussions at the appropriate time.

Ms. Wyatt referred to the amount of light at establishments like Sheetz and Go-Marts and inquired if the City should review the intensity of light that is allowed to filter into adjacent neighborhoods. Concern was also expressed regarding the height of the roof covers on such establishments.

Mr. Manetta pointed out that the matter is more of a City Planning Commission issue, but since the City is in the process of re-writing the zoning ordinance and certain items are being fast tracked, it would be appropriate to include those areas as well.

It was the consensus of Council that the City Planning Commission and staff would be requested to fast track the above referenced issues in zoning ordinance revisions.

The City Manager advised that the City Planning Commission has also been requested to fast track zoning ordinance revisions regarding regulation of cellular telephones.

Mr. Bestpitch requested that other cities be surveyed with regard to undergrounding and/or placing more, if not all utility lines, in alleys, where alleys are available.

Mr. Cutler inquired about the status of billboards and outdoor advertising; whereupon, the City Manager advised that the City currently has regulations in effect; however, a major element of the zoning ordinance review and update should include the City's sign ordinance. She explained that a sign ordinance is generally one of the most difficult activities that a City Planning Commission or a City Council will undertake, therefore, Council can expect a considerable amount of discussion.

APPLICATION FEES:

Mr. Richert advised that legal counsel for the Architectural Review Board previously addressed the matter of application fees; however, the Board unanimously agreed not to advocate the matter at that time. He stated that the Board has seen an increase in the number of requests by persons who have already started or completed a project, therefore, it would be reasonable to impose a fee for applications in a situation where work has been started or completed without approval of the Architectural Review Board. He requested that Council take the suggestion under consideration.

DEVELOPING ARCHITECTURAL REVIEW BOARD GUIDELINES FOR NEW MATERIALS:

Mr. Richert stated that the Architectural Review Board and its staff wishes to accommodate the use of modern construction materials in the historic districts, many of which have already been approved by the City for restoration/rehabilitation purposes. He called attention to the importance of investing funds to engage the services of persons who have knowledge regarding appropriate modern construction materials. He stated that the Architectural Review Board considers its current guidelines to be a work in progress and would like to ensure that it continues to develop new approaches.

Ms. Wyatt expressed concern for those persons who are frustrated because they wish to use a certain type of construction material, but Architectural Review Board guidelines are stringently applied, therefore, houses are left to deteriorate because property owners cannot afford repairs. She stated that some guidelines are not engraved in stone and should be used strictly as a guide.

Mr. Manetta advised that the Architectural Review Board advocates construction materials that blend in with the structure, provide better insulation, value, longer life, and paint holding, etc. He stated that the issues relate to housing protection and economic development, and the purpose of the Architectural Review Board is to protect the neighborhood while maintaining housing stock.

OTHER BUSINESS:

Mr. Richert advised that the Architectural Review Board would like to have additional jurisdiction with regard to landscaping, particularly when addressing infill housing construction. He expressed concern about the tree canopy, especially in the historic district, and noted that it would be advantageous to the City if the Board had some purview over trees so as to avoid the needless destruction of trees when some other action might be more appropriate.

Mr. Bestpitch advised that the next meeting of the Urban Forestry Task Force is scheduled for Wednesday, July 17, 2002 at 7:45 a.m., in the Parks and Recreation Conference Room on Reserve Avenue, S. W. , and invited Mr. Richert to attend the meeting and present information, specifically as it relates to the historic district.

There being no further business, at 6:40 p.m., the Mayor declared the City Council meeting in recess to be reconvened at 7:00 p.m., in the City Council Chamber.

At 7:00 p.m., on Monday July 15, 2002, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt, and Mayor Ralph K. Smith-----6.

ABSENT: Council Member William H. Carder-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Vice-Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith

PUBLIC HEARINGS:

STREETS AND ALLEYS: Pursuant to Resolution No. 25523, adopted by Council of the City of Roanoke on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, July 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Robert Evan, LLC, that a portion of Hite Street, S. W., extending from the southerly end of the existing cul-de-sac, in a southerly direction for approximately 371.06 feet, more or less, to the northerly line of the right-of-way of U. S. Route 220, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 28, 2002, and Friday, July 5, 2002.

A report of the City Planning Commission advising that Hite Street has an existing cul-de-sac that has been dedicated to the City; the petitioner seeks vacation of the remaining portion of Hite Street between the cul-de-sac and the southernmost limit of the street where it abuts U. S. Route 220; Council is authorized to sell the vacated portion of right-of-way, if it so chooses, pursuant to Section 15.2-2008, Code of Virginia (1950), as amended, which authorizes a City to require an abutting property owner to purchase the vacant right-of-way as a condition of vacation; under such an arrangement, the price may be no greater than the fair market value of the property, or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties; and the Department of Real Estate Valuation quoted the valuation range for this 14,601 square foot portion of Hite Street at \$7,600.00 - \$8,800.00, based on a rate of \$1.30 - \$1.50 per square foot, less 60 per cent for utility easements.

The Planning Commission recommended that Council approve the requested closure, contingent upon the following items: the portion of right-of-way in question has no utilitarian value to the City; and the City Planning Commission does not recommend sale of the portion of right-of-way.

The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals thereof, and record the plat with the Clerk of the Circuit Court for the City of Roanoke, said plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.

Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of the enabling ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the same in the name of the petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.

Upon recording a certified copy of the enabling ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

If the above conditions have not been met within a period of one year from the date of adoption of the enabling ordinance, said ordinance shall be null and void with no further action by City Council being necessary.

Mr. Dowe offered the following ordinance:

(#35995-071502) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 286.)

Mr. Dowe moved the adoption of Ordinance No. 34995-071502. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter.

The City Manager stated that prior to the last Council meeting, she provided Council with correspondence advising that contrary to the recommendation of the City Planning Commission, the City Manager, Director of Community Planning, and administrative staff recommend that the right-of-way not be closed unless it is closed through actual purchase of the property by the petitioner. She explained that the Director of Real Estate Valuation has provided a range value for the property in question; whereupon, she recommended the low end of the range which is \$7,600.00. She stated that it is her informal understanding that the petitioner may be willing to purchase the property if such action represents the only recourse to closure.

Edward A. Natt, Attorney, representing the petitioner, advised that his client is willing to purchase the property, if necessary, in order to close the street. He explained that the property has no utilitarian value as was stated in the report of the City Planning Commission and is not needed for any public purpose; however, the City Manager disagrees. Therefore, he noted that the City Planning Commission, which is the body that recommends planning and zoning actions, etc., is on one side of the issue and the City Manager is on the other side. He addressed issues of price, property, policy and precedent. In regard to price, he stated that the City paid nothing for the street, because it was a dedicated street; the Director of Real Estate Valuation placed a value of 60 per cent on the easement; in most commercial appraisals, the value of an assessment taken is in the range of 80 - 90 per cent of the value of the property, which would, in turn, further reduce the value. In reference to property, he stated that when a portion of a street is proposed to be closed, under State statute, title to one-half of the property goes to each adjoining property owner. He urged that the street be closed without the payment of any sum of money, but if payment is required, he asked if his client will receive title to the full street, or will the other adjoining property owner be required to pay one-half in exchange for one-half of the title. In regard to policy, he noted that there is no established policy for payment of fees for closing and vacation streets; however, he referred to a State statute that allows a local government to impose a charge upon vacation, closure or abandonment of a street, but noted that the City of Roanoke has established no such policy or guidelines. With reference to precedent, he stated that a precedent is being established; whereupon, he called attention to a petition recently approved by Council for vacation of an alley at no charge to the petitioner and that petitioner currently has an entire block of road frontage that includes industrial zoning which

does have land value. He requested that Council approve the vacation of the street and that his client not be charged; however, if his client is to be charged, he encouraged the City to use the 80 per cent value reduction for the easement purchase which is the method that commercial appraisers value the taking of an easement.

The City Manager advised that contrary to Mr. Natt's statement, Council previously adopted a policy relative to the disposition of such properties, at which time Council made a decision not to establish guidelines, but to deal with each request on a case specific basis. She advised that she would provide Mr. Natt with a copy of the enabling measure.

In regard to the concern raised by Mr. Natt regarding whether the easement would be divided half and half between the two adjacent property owners, the City Attorney advised that in this instance the recommendation is to follow State statute allowing sale of the right-of-way, which provides that all of the right-of-way being sold would go to the applicant who pays for same.

There was discussion in regard to the suggestion of Mr. Natt to use the 80 per cent valuation reduction, which would reduce the value of the easement to approximately \$5,000.00, and whether the City would be willing to agree to a compromise somewhere between the \$5,000.00 and the \$7,600.00 recommended by the City Manager.

The Mayor spoke in support of amending the ordinance to require \$6,500.00 for the easement.

Mr. Harris moved that Ordinance No. 35995-071502 be amended to provide for \$6,500.00 for purchase of the vacated right-of-way. The motion was seconded by Mr. Cutler and adopted.

No other persons wishing to be heard, Ordinance No. 35995-071502, as above amended, was adopted by the following vote:

AYES: Council Members Bestpitch, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

The Mayor declared the public hearing closed.

CITY PROPERTY-INDUSTRIES-LEASES: Council at its regular meeting on Monday, July 1, 2002, having continued a public hearing with regard to the lease and renovation of certain City-owned buildings located at 117 and 119 Norfolk Avenue, S. W., subject to certain terms and conditions, the matter was again before the body.

The Mayor advised that the City Manager has requested that the public hearing be continued indefinitely; whereupon, without objection by Council, it was so ordered.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523, adopted by the Council of the City of Roanoke on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, July 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request from Structures Design/Build, LLC, represented by Steven S. Strauss, that a 0.717 acre portion, more or less, of excess right-of-way of Franklin Road that adjoins Official Tax No. 1300101, be permanently vacated, discontinued and closed , the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 28, 2002 and Friday, July 5, 2002.

A report of the City Planning Commission advising that the petitioner's property that adjoins the subject portion of right-of-way is wooded and has never been developed; and a portion of the subject right-of-way contains a creek; staff has concerns about the effect of the vacation on future greenway development; the Roanoke Valley Conceptual Greenway Plan, approved and adopted by Council on December 6, 1999, designates this section of Franklin Road for a future greenway corridor along the roadway; the greenway plan also notes the following as a strategy for acquiring land to develop the greenway system: "Before legal interest is abandoned in any property, evaluate the property's potential for use in the development of greenways. This would include the vacation of easements, formal abandonment of rights-of way and easements and the sale of surplus property."; and the Roanoke Valley Bikeway Plan also designates this section of Franklin Road as an on road facility and recommends a wide outside lane to accommodate bicycles.

It was explained that Council is authorized to sell the vacated portion of the right-of-way, if it so chooses; Section 15.2-2008 of the Code of Virginia (1950), as amended, authorizes a City to require an abutting property owner to purchase the vacated right-of-way as a condition of vacation; under such an arrangement, the price may be no greater than the property's fair market value, or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties; and the Department of Real Estate Valuation has quoted the valuation range for this 31,233 square foot portion of Franklin Road as \$2,700.00-\$3,900.00, based on a rate of \$0.35-\$0.50 per square foot, less 75 per cent for creek/drainage easements.

The City Planning Commission recommended that Council deny the request of the petitioner.

Mr. Dowe offered the following ordinance:

“AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.”

Mr. Dowe moved the adoption of the ordinance. The motion as seconded by Mr. Harris.

Steven S. Strauss, Manager, Structures Design/Build, L.L.C., called attention to plans to develop the property for office use. He stated that land in the City of Roanoke is in short supply, sites have been bypassed or re-examined, and there is a shortage of new, quality small office space in this section of the City. He explained that the property is currently zoned C-1, which means that the site is developable as it currently exists; however, the reason for the requested vacation is to allow the land to be developed in the most aesthetically pleasing manner, which can be accomplished by reducing the degree of cuts to the current embankment, thus retaining a large buffer of existing trees, better landscaping, and a greater degree of flexibility in the placement of the buildings. He explained that the issue before Council is not one of rezoning the property, or what the site should be used for, but it is an issue of whether the right-of-way should be vacated so that the site can be developed in the most sensitive manner possible, given current site conditions. He stated that without vacation of the right-of-way, a developer will be forced to remove a greater number of trees and make more severe cuts in the rear hill side; and regardless of whether the right-of-way is vacated, the storm water channel that extends beside Franklin Road will be piked when the site is developed with sidewalks and curbing.

Mr. Strauss called attention to benefits to the City if the property is developed; i.e.: from a safety point of view, there is a concern as the site currently exists with regard to a large drainage ditch that extends along the heavily traveled Franklin Road, and, in some areas, the edge of the pavement is less than 35 feet from the open ditch, and numerous areas have substandard shoulders and vehicles cannot pull to the side of the road in these locations. He stated that the proposed development would improve this section of Franklin Road with an enclosed storm drainage system that would be properly maintained, relieving the City of the burden of maintenance, with needed improvements at no cost to the City. He added that curb, gutter and sidewalk would be installed in this area of Franklin Road in conjunction with development of the property at no cost to the City, and there would be a significant increase in the City's tax base and employment opportunities. He

added that the site currently generates only \$660.00 in tax revenue to the City, however, if the property were developed with approximately 17,000 square feet of professional office space, combined tax income for the City would be in excess of \$44,000.00 per year, with \$20,000.00 coming from real estate taxes, up to \$15,000.00 in Business, Professional and Occupational License taxes and up to \$9,000.00 in personal property taxes being generated in the first year of full build out. He advised that the Director of Real Estate Valuation has assessed the property between \$2,700.00 and \$3,900.00, and contributory value of the property would be \$15,100.00; whereupon, he expressed a willingness to pay \$7,800.00 for vacation of the right-of-way.

Mr. Strauss called attention to concerns in regard to greenway issues and while the greenway conceptual plan which links Route 419 and Franklin Road is to be considered when development of sites in the area occurs, the greenway concept for this area is currently in conceptual form with no designated area having been determined. He called attention to questions with regard to on which side of Franklin Road would the greenway run, and advised that if this side of Franklin Road were selected, the northern end of the property is blocked by the West Motor Sales building which is constructed on the property line, with only the sidewalk separating the roadway from the building. He explained that in the proposed development of the property, the sidewalk would tie in with the sidewalk of West Motor Sales so that the greenway would follow the new and existing sidewalk past West Motor Sales toward other office buildings on Franklin Road.

In conclusion, Mr. Strauss advised that the site is currently zoned C-1 and can be developed, but with vacation of the right-of-way, the site can be developed in a more sensitive manner so as to provide a needed tax boost to the City in an aesthetically pleasing manner. He requested that Council approve vacation of the right-of-way as recommended by City Planning staff.

Mr. David Bromm, 3267 White Oak Road, S. W., advised that some type of sidewalk would be beneficial to the area. He stated that future development in the City of Roanoke should take into consideration ridge line protection and erosion of land.

Mr. Cutler concurred in the remarks of the previous speaker in that the City of Roanoke has not done a good job of protecting its ridge lines, and some erosion problems have been caused that are out of control because of the kind of excavation that has taken place on hill sides. With regard to the proposal under consideration, he advised that he intends to vote against the request because he does not believe that this extremely steep slope can be graded without experiencing erosion problems. On behalf of the creek, the trees and minimizing erosion, he stated that he opposes the request of the petitioner.

Upon question as to where the storm water channel will be piked, the City Manager advised that the subject property, absent the right-of-way closure, is properly zoned for office development, and the petitioner intends to develop the property whether or not the right-of-way is closed, which will have an impact on the cut of the hillside, based upon how much land is available. If development occurs, she stated that something will have to be done to the creek and she would ask City staff to review whether the creek could be bridged instead of piked.

In response to Mr. Bromm's concern, the City Manager advised that curb, gutter and sidewalk would be included in the project, regardless of how the property is developed, pursuant to guidelines established by the City on January 1, 2002.

In view of information from the Director of Real Estate Valuation in regard to potential value of the property and issues relating to the cut of the hillside, there was discussion relative to referring the matter back to the City Planning Commission for further report to Council.

The City Manager suggested that the matter be referred to the City Administration if the issues pertain to price and obtainment of an agreement, with a report to Council at its regular meeting on Monday, August 5, 2002.

Mr. Dowe suggested that regardless of whether the development is pursued under C-1 or C-2 zoning, the Roanoke Valley Greenway Commission should be included in discussions and the developer should encourage input from neighborhood organizations within the area that is to be directly affected by the proposed development.

Mr. Cutler encouraged the City Manager to engineer the project so that flood problems are not exacerbated in the future.

No other persons wishing to be heard, Mr. Harris offered a substitute motion that the matter be referred to the City Manager to address issues with regard to cost of the right-of-way and incorporation of acceptable language in official documents to provide for minimization of the cut of the land. The motion was seconded by Mr. Bestpitch and adopted.

Following further discussion and in view of the fact that Mr. Strauss would be unavailable to attend the August 5 City Council meeting, it was the consensus of Council that the public hearing would be continued until the regular meeting of Council on Monday, August 19, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard in the City Council Chamber.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523, adopted by the Council of the City of Roanoke on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, July 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Kitina A. Gimbert and Sue E. Harrison that an unopened portion of Whitman Street, S. E., from the southerly

boundary of Arbutus Avenue to the boundary of property acquired for the Roanoke River Flood Reduction Project, lying between parcels identified by Official Tax Nos. 4151207 and 4160301, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 28, 2002 and Friday, July 5, 2002.

A report of the City Planning Commission advising that Engineering staff determined that the subject portion of right-of-way should be vacated as part of land acquisition negotiations for the City's flood reduction project, and the petitioners were approached by City Engineering staff who prepared the petition on their behalf; and the subject portion of right-of-way is unimproved and dead-ends on the bank of the Roanoke River.

It was further advised that Council is authorized to sell this vacated portion of alley, if it so chooses; Section 15.2-2008 of the Code of Virginia (1950), as amended, authorizes a City to require an abutting property owner to purchase the vacated right-of-way as a condition of the vacation; under such an arrangement, the price may be no greater than the fair market value of the property, or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties; and the Department of Real Estate Valuation quoted the valuation range for this 3,330 square foot portion of alley at \$1,700.00 – \$2,300.00, based on a rate of \$.50 - \$.70 per square foot.

The City Planning Commission recommended that Council approve the request of the petitioner and close, discontinue and vacate this portion of Whitman Street, S. E., subject to the following conditions, and that the petitioners not be charged for the portion of right-of-way, inasmuch as the City initiated the petition on their behalf.

The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals thereof, and record the plat with the Clerk of the Circuit Court for the City of Roanoke, said plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.

Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of the enabling ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia,

indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.

Upon recording a certified copy of the enabling ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

If the above conditions have not been met within a period of one year from the date of adoption of the enabling ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

Mr. Bestpitch offered the following ordinance:

(#35996-071502) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 289.)

Mr. Bestpitch moved the adoption of Ordinance No. 35996-071502. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35996-071502 was adopted by following vote.

AYES: Council Members Bestpitch, Cutler, Dowe, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

The Mayor declared the public hearing closed.

STREETS AND ALLEYS: Pursuant to Resolution No. 25583, adopted by the Council of the City of Roanoke on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday July 15, 2002, at 7:00 p.m., or as soon

thereafter as the matter may be heard, on the request of the City of Roanoke, that a 30' public right-of-way, known as Mason Mill Road, N. E., extending from the southerly boundary of Official Tax No. 7230101 to the northerly boundary of said parcel, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, June 28, 2002 and Friday, July 5, 2002.

A report of the City Planning Commission advising that the right-of-way proposed for closure is part of Mason Mill Road N. E. (formerly Manning Road); the petitioner owns all of the adjacent property and wishes to vacate the right-of-way to allow for development of an additional parcel of land in the Roanoke Centre for Industry and Technology (RCIT); the right-of-way requested for closure formerly served as an entrance road to access Blue Hills Golf Course and a farm northeast of the golf course; and the right-of-way has not been used for several years and is no longer needed, as Blue Hills Drive will be extended to serve the RCIT parcels.

The City Planning Commission recommended that Council approve the request, inasmuch as the portion of the street will serve no purpose to the City after Blue Hills Drive is extended.

Mr. Dowe offered the following ordinance:

(#35997-071502) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 291.)

Mr. Dowe moved the adoption of Ordinance No. 35997-071502. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35997-071502 was adopted by the following vote:

AYES: Council Members Bestpitch, Cutler, Dowe, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

The Mayor declared the public hearing closed.

CITY PROPERTY-HOUSING/AUTHORITY-CITY EMPLOYEES-GRANTS-POLICE DEPARTMENT: Pursuant to previous instructions by Council, the City Clerk having advertised a public hearing for Monday July 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to convey City-owned property located at 1224 Rorer Avenue, S. W., and 719 Dale Avenue, S. E., to Blue Ridge Housing Development Corporation (BRHDC), in connection with establishment of a housing assistance program for City employees, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, July 7, 2002.

The City Manager submitted a communication advising that the City of Roanoke receives entitlement grants each year under the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs of the U. S. Department of Housing and Urban Development (HUD); HUD approval of the City's FY 2002-03 CDBG application is forthcoming, and the letter of approval is pending the routine Congressional release process; and as a part of the HUD Entitlement Consolidated Plan application, approved by Council on May 13, 2002, pursuant to Resolution No. 35848-051302, Council authorized funding for the Employer Assisted Housing Program.

It was further advised that in October 2001, Council authorized the City Manager to purchase, on behalf of the City, two properties located at 1224 Rorer Avenue, S. W., and 719 Dale Avenue, S. E., from HUD; under the Employer Assisted Housing Program, the Blue Ridge Housing Development Corporation is to renovate these two properties and make them available for rent and/or lease-purchase by eligible low/moderate income families.; through December 31, 2002, the properties will be marketed solely to low/moderate income Roanoke police officers and teachers and/or other City employees, at below market rate rents, as a recruiting inducement and to benefit an older neighborhood through the presence of positive role models; if the properties are still available on January 1, 2003, BRHDC may begin marketing the properties to the general low/moderate income public, as well; a subgrant Agreement with BRHDC is necessary in order to provide CDBG funding for rehabilitation of the properties involved in the program; and funding is available in Account No. 035-G03-0320-5368 in the amount of \$150,143.00

It was explained that as a part of the Subgrant Agreement, \$150,143.00 in CDBG funds will be provided to the BRHDC in the form of an interest-free, ten year forgivable loan to assist with rehabilitation of the properties; in the event the Employer Assisted Housing Program is discontinued prior to full forgiveness of the loan, BRHDC is required to pay the balance remaining to the City; and a public hearing is required to convey the two properties to Blue Ridge Housing Development Corporation.

The City Manager recommended, following the public hearing, that she be authorized to execute a CDBG Subgrant Agreement and such other documents as may be required with Blue Ridge Housing Development Corporation, to convey and renovate the above referenced properties, with all documents to be approved as to form by the City Attorney prior to execution.

Mr. Bestpitch offered the following ordinance:

(#35998-071502) AN ORDINANCE authorizing the fee simple conveyance of properties located at 1224 Rorer Avenue, S. W., and 719 Dale Avenue, S. E., to the Blue Ridge Housing Development Corporation; authorizing the execution of a Subgrant Agreement between the City and Blue Ridge Housing Development Corporation in order to provide Community Development Block Grant (CDBG) funds for the rehabilitation of such properties, and to provide housing available for rent and/or lease purchase by eligible low/moderate income families; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 294.)

Mr. Bestpitch moved the adoption of Ordinance No. 35998-071502. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35998-071502 was adopted by the following vote:

AYES: Council Members Bestpitch, Cutler, Dowe, Harris, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

The Mayor declared the public hearing closed.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

WATER RESOURCES: Ms. Teresa Minton, 1613 Kenwood Boulevard, S. E., expressed concern with regard to water issues; i.e.: previous Councils have not addressed the water situation as a top priority; the prohibition of using water to wash personal vehicles, resulting in the need to use the services of local car wash establishments; she is not permitted to pressure wash a natural wood porch at her private residence in order to prevent deterioration; she has spent hundreds of

dollars on landscaping which cannot be watered; the plight of senior citizens who have planted gardens to supplement their food supply and their crops will be lost without water, which translates into more money that they will be required to spend on groceries, many of whom are on a fixed income; senior citizens and disabled persons who cannot physically carry gallons of water from non-potable water locations established by the City for watering purposes; and confusion by citizens with regard to information that was contained in a recent City publication regarding water usage exceptions.

The City Manager called attention to confusion by some citizens when they learn that certain outdoor water use is permitted for businesses that use water as an integral part of their operations, and a company in the pressure washing business would be permitted to clean the porch at Ms. Minton's residence. She explained that the brochure referred to by the speaker was published prior to the City going to mandatory water restrictions, therefore, circumstances have changed as the City has gone to different levels of water at the Carvins Cove Reservoir. She stated that the City is working diligently to address a situation that is beyond its control, which is the drought that has hit the entire East Coast, the City of Roanoke has been requested by numerous jurisdictions to provide copy of its water conservation plan as jurisdiction after jurisdiction in Virginia has been required to go to water restrictions. She explained that by October 1, the City will have six million gallons of additional water than has been available for the past two years, four million gallons will be available with the opening of the Crystal Springs Filter Plant and two million gallons from wells that the City is currently in the process of digging. She stated that six million gallons of additional water will go a long way toward addressing the water shortage and the City continues to have the ability for approximately the next 17 years to purchase four million gallons of water per day from Roanoke County. She called attention to three locations where citizens may obtain non-potable water, and citizens have been most creative in terms of how they conserve and transport water. She referred to ongoing discussions with Roanoke County with regard to creation of a water authority, however, if the water authority were created tomorrow, it would not provide any more water over the short term. She stated that a recommendation will be submitted to Council in August as to how the additional water could be used to help mitigate the kinds of circumstances referred to by Ms. Minton.

In view of the remarks of the City Manager that a commercial business establishment would be permitted to engage in the service of pressure washing houses, decks, etc., Mr. Bestpitch requested that the City Manager give consideration to the question of allowing citizens to use potable water for pressure washing purposes.

Ms. Wyatt referred to the comment of Ms. Minton that past City Councils have not given top priority to water issues; whereupon, she advised that having served on past Councils, she would be remiss if she did not respond to the statement. She stated that as a result of the drought in 1999, an agreement was entered into with Roanoke County to install inter-locking links between Roanoke City and Roanoke County, in order to provide for water between the two localities, and the City and the County entered into an agreement allowing the City to purchase water from Roanoke County. She added that with the temporary closing of the Crystal Springs Filter Plant, the City has had four million gallons less water per day for the past two years and had that water been available, the City's water situation would not be as severe. She expressed appreciation to the citizens of the City of Roanoke for their willingness to make do in difficult times and situations.

The City Manager pointed out that the City of Roanoke's water system is serving a significantly larger customer base than either Roanoke County or the City of Salem, therefore, more water is used on a daily basis. She also pointed out that prior to July 1, 2001, the City of Roanoke did not have a water policy that promoted water conservation, because prior to July 1, 2001, the more water consumed, the less citizens paid.

COMPLAINTS: Mr. Robert Gravely, 619 Hanover Avenue, N. W., expressed concern with regard to night clubs in the downtown Roanoke area where black males are being searched and questioned about the style of their clothing. He inquired as to why the Gainsboro sign reads "Southwest Incorporated" when the Gainsboro neighborhood is located in the northwest section of the City of Roanoke, and questioned the spelling of "Gainsboro". He called attention to the need to work with the Department of Housing and Urban Development to purchase homes that are in good condition for rent or purchase by low income persons which will generate more revenue to the City through real estate taxes collected. He stated that wages for employees of the City of Roanoke have fallen behind, young adults do not have the jobs they need to earn a decent living, and the City should do more to help citizens as opposed to businesses.

There being no further business, the Mayor declared the meeting adjourned at 8:35 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

Francis

R E A L T O R S

Established 1910

August 7, 2002

Mark McConnell, Chair
Roanoke Arts Commission
215 Church Avenue, SW, Room 456
Roanoke, VA 24011

Dear Mark:

It is with very mixed emotions that I write to submit my resignation from the Roanoke Arts Commission. As a newly appointed member of the Virginia Commission of the Arts, this Commission encourages all members to step off of any arts and/or cultural boards or organizations they may serve on in the Commonwealth. Additionally, with life keeping me more out of town than in, I also feel it is a disservice to stay on a board I cannot be active on.

I have been honored to have been appointed to and been a part of the Roanoke Arts Commission, and have enjoyed my time as such. I look forward to serving the Roanoke Valley's Arts and Cultural organizations from Richmond as a commissioner for the VCA.

Please call on me if ever needed.

Sincerely,



Will Trinkle

CC: Judith M. St. Clair, Recording Secretary
Roanoke Arts Commission



Visit us on the Web @ www.cwfrancis.com

305 First Street, SW, Suite 700 • Roanoke, Virginia 24011 • 540.342.3161 • Fax 540.344.4262





CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

September 3, 2002

The Honorable Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Alton L. Knighton, Jr., bond Counsel for Craig County IDA in which he is requesting approval of the issuance of bonds regarding the construction, renovation and equipping of two YMCA facilities, respectively, to be located in the City of Roanoke and in the City of Salem at the regular meeting of City Council on Tuesday, September 3, 2002.

Sincerely,

A handwritten signature in black ink, reading "Darlene L. Burcham". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk

ALTON L. KNIGHTON, JR.
540 983-7632
INTERNET: knighton@woodsrogers.com

WOODS, ROGERS & HAZLEGROVE ^{PLC}

Attorneys at Law



August 14, 2002

Mr. William M. Hackworth
City Attorney - City of Roanoke
464 Municipal Building
215 Church Avenue, S.W.
Roanoke, VA 24011

Mr. Stephen M. Yost
Osterhoudt, Prillaman, Natt, Helscher,
Yost, Maxwell & Ferguson
105 North Colorado Street
Salem, VA 24153

In re: YMCA of Roanoke Valley, Inc.; Industrial Development Financing

Dear Bill and Steve:

The Craig County IDA has now passed its resolution regarding the YMCA project.

Enclosed for each of you is the package to go to your City Council. The package includes executed copies of the report of public hearing and fiscal impact statement, as well as a copy of the IDA resolution and a resolution for your City Council. Enclosed, purely for reference purposes, are copies of the resolutions to be presented to the governing bodies of the other localities.

As previously indicated, we would appreciate your having your City Council resolution placed upon the agenda for your City Council. We had planned to have it considered by the Salem Council on August 26 and the Roanoke Council on September 3.

The City Council resolutions and the other enclosures are identical to those previously furnished to you in draft form.

Based upon our prior discussions, I plan to be at the Roanoke City Council meeting, but without a representative of the YMCA. We do not plan on having anyone at the Salem City Council meeting.

RKE# 0762454.WPD
C/M: 099460-00008-01

P. O. Box 14125 / Roanoke, Virginia 24038-4125
10 South Jefferson Street, Suite 1400 / Roanoke, Virginia 24011
540 983-7600 / Fax 540 983-7711
mail@woodsrogers.com

Offices also in Blacksburg, Charlottesville, Danville, Lynchburg and Richmond, Virginia

August 14, 2002
Page 2

Many thanks for your assistance. Please let me know if you should have any questions.

Sincerely,

WOODS, ROGERS & HAZLEGROVE, P.L.C.

A handwritten signature in black ink, appearing to be 'AL' or 'ALN' with a stylized flourish.

Alton L. Knighton, Jr.

ALKjr/jp
Enclosures

REPORT OF PUBLIC HEARING

A public hearing was conducted by the Industrial Development Authority of Craig County (the "Authority") at 3:00 p.m. on August 13, 2002 on the application of YMCA OF ROANOKE VALLEY, INC. (the "Borrower") requesting the Authority to issue up to \$9,800,000 of its revenue bonds or notes (the "Bonds") to assist the Borrower in the construction, renovation and equipping of two YMCA facilities (collectively, the "Project"). Notice of such hearing was published on July 30, 2002 and August 6, 2002 in The Roanoke Times and on July 31, 2002 and August 7, 2002 in The New Castle Record. The Project will consist of facilities located at the intersection of Fifth Street, S.W., and Luck Avenue in the City of Roanoke, Virginia and at 1126 Kime Lane in the City of Salem, Virginia. The public hearing was held in the Offices of the County Administrator of Craig County, Second Floor, County Office Building, Court and Main Streets, New Castle, Virginia. At the meeting those persons interested in the issuance of the Bonds or the location and nature of the Project were given the opportunity to present their views.

The public comments, if any, received at the meeting are summarized in Exhibit A attached hereto.

After such hearing, the Authority voted to recommend the approval of the Bonds to the Board of Supervisors of Craig County, Virginia (the "Board"), the City Council of the City of Roanoke, Virginia (the "Roanoke Council") and the City Council of the City of Salem, Virginia (the "Salem Council").

Accordingly, the Authority hereby recommends to the Board, the Roanoke Council and the Salem Council that they approve the issuance of the Bonds, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

Dated August 13, 2002.

INDUSTRIAL DEVELOPMENT AUTHORITY
OF CRAIG COUNTY

By Gerald H. Grubbs
Chairman

Exhibit A to Report of Public Hearing

The following public comments were received:

None.

FISCAL IMPACT STATEMENT

Date: August 13, 2002

Applicant: YMCA OF ROANOKE VALLEY, INC.

Facility: Two YMCA facilities located in the City of
Roanoke, Virginia and the City of Salem, Virginia

1. Maximum amount of financing sought \$9,800,000

2. Estimated taxable value of the facility's
real property to be constructed in the
locality

a. Roanoke \$0
b. Salem \$0

3. Estimated real property tax per year using
present tax rates

a. Roanoke \$0
b. Salem \$0

4. Estimated personal property tax per year
using present tax rates

a. Roanoke \$0
b. Salem \$0

5. Estimated merchants' capital tax per year
using present tax rates

a. Roanoke \$0
b. Salem \$0

6. a. Estimated dollar value per year of goods
that will be purchased from Virginia
companies within the locality

i. Roanoke \$10,500
ii. Salem \$26,000

b. Estimated dollar value per year of goods
that will be purchased from non-Virginia
companies within the locality

- i. Roanoke \$ 1,000
ii. Salem \$ 2,000
- c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality
- i. Roanoke \$ 5,000
ii. Salem \$ 5,000
- d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality
- i. Roanoke \$ 0
ii. Salem \$ 0
7. Estimated number of regular employees on year round basis
- a. Roanoke 10
b. Salem 25
8. Average annual salary per employee
- a. Roanoke \$ 15,000
b. Salem \$ 15,000

Signature:

Gaull H. Gmeline
Authority Chairman

Industrial Development Authority of
Craig County

If one or more of the above questions do not apply to the facility, indicate by writing "N/A" on the appropriate line.

RESOLUTION OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY OF
CRAIG COUNTY

WHEREAS, there have been described to the Industrial Development Authority of Craig County (the "Authority") the plans of YMCA OF ROANOKE VALLEY, INC. (the "Borrower") to construct, renovate and equip two facilities (collectively, the "Project"), to be located in the City of Roanoke, Virginia ("Roanoke") and in the City of Salem, Virginia ("Salem"); and

WHEREAS, the Borrower has described the benefits to Roanoke and Salem (the "Cities") and Craig County, Virginia (the "County") and has requested the Authority to agree to issue its revenue bonds or notes, under the Virginia Industrial Development and Revenue Bond Act (the "Act"), in such amounts as may be necessary to finance the cost of the Project;

BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF
CRAIG COUNTY:

1. It is hereby found and determined that the location of the Project in the Cities will promote the health and welfare of the inhabitants of the Cities, the County and the Commonwealth of Virginia, will be in the public interest and will be consistent with the purposes of the Act.

2. To induce the Borrower to locate the Project in the Cities, the Authority hereby agrees, subject to required approvals and the compliance of the proposed issue with applicable law, to assist the Borrower in every reasonable way to finance the Project and, in particular, to undertake the issuance of one or more of its revenue bonds or notes (the "Bonds") therefor in amounts now estimated not to exceed \$9,800,000 upon terms and conditions to be mutually agreed upon between the Authority and the Borrower. The proceeds from the sale of the Bonds shall be loaned by the Authority to the Borrower pursuant to an agreement or agreements which will provide for loan repayments to the Authority sufficient to pay the principal of and premium, if any, and interest on the Bonds and to pay all other expenses in connection with the Project. The Bonds shall be issued in form and pursuant to terms to be set by the Authority.

3. It having been represented to the Authority that it is necessary to proceed immediately with the Project, the Authority hereby agrees that the Borrower may proceed with plans for the Project, enter into contracts for construction, renovation and equipping and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any monies or the performance of any acts in connection with the Project. The Authority agrees that, to the extent consistent with federal tax laws, the Borrower may be reimbursed from the proceeds of the Bonds for all costs so incurred by it.

4. To the extent consistent with federal tax laws, all costs and expenses in connection with the financing of the Project, including the fees and expenses of bond counsel and Authority counsel, shall be paid from the proceeds of the Bonds. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

5. The Authority intends that the adoption of this resolution be considered as "official action" toward the issuance of the Bonds within the meaning of the regulations issued by the Internal Revenue Service pursuant to Section 103 of the Internal Revenue Code of 1954, as amended.

6. The Authority shall perform such other acts and adopt such further resolutions as may be required to implement its undertakings as hereinabove set forth, and if requested by the Borrower, it will make application to the Internal Revenue Service for such tax rulings as may be necessary in the opinion of bond counsel. To that end, the Chairman or Vice Chairman of the Authority is hereby authorized to execute an appropriate power of attorney naming counsel selected by the Borrower for such purposes.

7. The Authority hereby recommends that (a) the Board of Supervisors of the County (the "Board"), the City Council of Roanoke (the "Roanoke Council") and the City Council of Salem (the "Salem Council") approve the financing of the Project and the issuance of the Bonds and (b) the Roanoke Council and the Salem Council concur with this resolution.

8. The officers of the Authority are hereby authorized and directed to deliver to the Board, the Roanoke Council and the Salem Council (a) a reasonably detailed summary of the comments expressed at the public hearing held with respect to the issuance of the Bonds, (b) a fiscal impact statement concerning the Project in the form specified in Section 15.2-4907 of the Code of Virginia, and (c) a copy of this resolution, which constitutes the recommendation of the Authority that the Board, the Roanoke Council and the Salem Council approve the financing of the Project and the issuance of the Bonds.

9. This resolution shall take effect immediately upon its adoption.

RESOLUTION
OF THE BOARD OF SUPERVISORS OF
CRAIG COUNTY, VIRGINIA

WHEREAS, the Industrial Development Authority of Craig County (the "Authority") has considered the application of YMCA OF ROANOKE VALLEY, INC. (the "Borrower") requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not to exceed \$9,800,000 (the "Bonds") to assist in financing the construction, renovation and equipping of two YMCA facilities (collectively, the "Project"), which (a) will be located at the intersection of Fifth Street, S.W., and Luck Avenue, on the southeast corner thereof, in the City of Roanoke, Virginia ("Roanoke") and contain approximately 40,000 square feet, and to additionally include the old Jefferson High School gymnasium (the "Gym") located adjacent thereto at 522 Church Avenue, S.W., in Roanoke, which contains approximately 15,000 square feet, and (b) will be located at 1126 Kime Lane in the City of Salem, Virginia ("Salem") and contain approximately 55,000 feet, and which will be owned and operated by the Borrower (except that the Gym will be owned by Roanoke and is expected to be leased to and operated by the Borrower, if Roanoke and the Borrower agree upon mutually satisfactory lease terms), and the Authority has held a public hearing thereon; and

WHEREAS, it has been requested that the Board of Supervisors (the "Board") of Craig County, Virginia (the "County") approve the financing of the Project and the issuance of the Bonds, and such approval is required for compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code");

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CRAIG COUNTY, VIRGINIA:

1. The Board approves the financing of the Project and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds, as required by said Section 147(f), does not constitute an endorsement of the Bonds or the creditworthiness of the Borrower or otherwise indicate that the Project possesses any economic viability. The Bonds shall provide that neither the Commonwealth of Virginia (the "Commonwealth") nor any political subdivision thereof, including the County, Roanoke, Salem and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the County, Roanoke, Salem and the Authority, shall be pledged thereto.

3. The Bonds are hereby designated as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code, but only to the extent the Bonds are issued during 2002. The

County has not designated, and will not designate, more than \$10,000,000 of obligations to be issued during 2002 as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code.

4. This Resolution shall take effect immediately upon its adoption.

RESOLUTION
OF THE CITY COUNCIL OF
THE CITY OF SALEM, VIRGINIA

WHEREAS, the Industrial Development Authority of Craig County (the "Authority") has considered the application of YMCA OF ROANOKE VALLEY, INC. (the "Borrower") requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not to exceed \$9,800,000 (the "Bonds") to assist in the financing of the construction, renovation and equipping of two YMCA facilities (collectively, the "Project"), which (a) will be located at the intersection of Fifth Street, S.W., and Luck Avenue, on the Southeast corner thereof, in the City of Roanoke, Virginia ("Roanoke") and contain approximately 40,000 square feet, and to additionally include the old Jefferson High School gymnasium (the "Gym") located adjacent thereto at 522 Church Avenue, S.W., in Roanoke, which contains approximately 15,000 square feet, and (b) will be located at 1126 Kime Lane in the City of Salem, Virginia (the "City") and contain approximately 55,000 square feet, and which will be owned and operated by the Borrower (except that the Gym will be owned by Roanoke and is expected to be leased to and operated by the Borrower, if Roanoke and the Borrower agree upon mutually satisfactory lease terms), and the Authority has held a public hearing thereon; and

WHEREAS, it has been requested that the City Council of the City (the "Council") approve the financing of the Project and the issuance of the Bonds, and such approval is required for compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALEM, VIRGINIA:

1. The Council approves the financing of the Project and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project. The Council concurs with the resolution adopted by the Authority on August 13, 2002 with respect to the Bonds and the Project.
2. The approval of the issuance of the Bonds, as required by said Section 147(f), does not constitute an endorsement of the Bonds, the creditworthiness of the Borrower or the economic viability of the Project. The Bonds shall provide that neither the Commonwealth of Virginia (the "Commonwealth") nor any political subdivision thereof, including the City, Roanoke, Craig County (the "County") and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the City, Roanoke, the County and the Authority, shall be pledged thereto.
3. This Resolution shall take effect immediately upon its adoption.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION approving a financing by the Industrial Development Authority of Craig County for the benefit of YMCA OF ROANOKE VALLEY, INC. to the extent required by Section 147(f) of the Internal Revenue Code of 1986, as amended, and concurring with the inducement resolution of said Authority with respect thereto.

WHEREAS, the Industrial Development Authority of Craig County (the "Authority") has considered the application of YMCA OF ROANOKE VALLEY, INC. (the "Borrower") requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not to exceed \$9,800,000 (the "Bonds") to assist in the financing of the construction, renovation and equipping of two YMCA facilities (collectively, the "Project"), which (a) will be located at the intersection of Fifth Street, S.W., and Luck Avenue, on the southeast corner thereof, in the City of Roanoke, Virginia (the "City") and contain approximately 40,000 square feet, and to additionally include the old Jefferson High School gymnasium (the "Gym") located adjacent thereto at 522 Church Avenue, S.W., in the City, which contains approximately 15,000 square feet, and (b) will be located at 1126 Kime Lane in the City of Salem, Virginia ("Salem") and contain approximately 55,000 square feet, and which will be owned and operated by the Borrower (except that the Gym will be owned by the City and is expected to be leased to and operated by the Borrower, if the City and the Borrower agree upon mutually satisfactory lease terms), and the Authority has held a public hearing thereon; and

WHEREAS, it has been requested that the City Council of the City (the "Council") approve the financing of the Project and the issuance of the Bonds, and such approval is required for compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke, Virginia:

1. The Council approves the financing of the Project and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project. The Council concurs with the resolution adopted by the Authority on August 13, 2002, with respect to the Bonds and the Project.

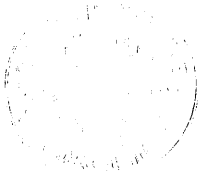
2. The approval of the issuance of the Bonds, as required by said Section 147(f), does not constitute an endorsement of the Bonds, the creditworthiness of the Borrower or the economic viability of the Project. The Bonds shall provide that neither the Commonwealth of Virginia (the "Commonwealth") nor any political subdivision thereof, including the City, Salem, Craig County (the "County") and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the City, Salem, the County and the Authority, shall be pledged thereto.

3. The adoption of this Resolution shall in no way obligate the City to lease the Gym to the Borrower.

4. This Resolution shall take effect immediately upon its adoption.

ATTEST:

City Clerk



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

September 3, 2002

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice-Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Revised Percent for Art
Program Guidelines

Background:

City Council adopted guidelines for a Percent for Art Program on August 19, 1996 via resolution number 33077-081996 (see Attachment A). City Council has had several recent discussions about these guidelines at a financial planning session on March 9, 2002 and a planning workshop on April 29, 2002. After these discussions, staff were directed to amend the guidelines to accommodate the following directions from City Council:

- Public art acquired through the Program does not have to be related to a specific capital project, even though new capital projects eligible for

inclusion in the Program will be used as a basis for determining the Program's budget.

- A comprehensive, detailed plan for enhancing public art should be developed based on the Program budget and presented to City Council for approval.

Note: The revised guidelines suggest that this Plan should be developed by the Roanoke Arts Commission, eliminating the need for a separate Roanoke Percent for Art Committee.

- Program funds should not be spent on art projects that may not be in the overall best interest of the City.

Considerations:

Staff have developed proposed new guidelines (Attachment 2) and reviewed them with Mr. Mark C. McConnel, Chair of the Roanoke Percent for Art Committee, and Dr. Wayne Harris, Superintendent of Roanoke City Public Schools, to determine any concerns they may have:

- Mr. McConnel will likely address City Council regarding the revised guidelines.
- Dr. Harris indicated that Roanoke City Schools would like to participate in the Percent for Art Program, and asked that the program be designed so that City Council and the School Board would jointly review and approve the design and acquisition of artwork for public buildings.

The revised program guidelines do not incorporate any changes suggested by Mr. McConnel or Dr. Harris at this time, but can certainly be amended to reflect the wishes of City Council.

As reported to City Council at its March financial planning session, the cost to begin implementation of the program is \$192,701 based on 1% of the construction cost for eligible capital projects in the Capital Improvement Program.

Recommended Action:

City Council adopt the attached Resolution approving the revised guidelines for the Percent for Art Program. The Roanoke Arts Commission will then develop

and recommend to the City Manager by December 31, 2002 a comprehensive plan for enhancing public art based on a budget of \$192,701. This plan will then be reviewed, modified as necessary, and recommended to City Council, along with a funding recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Darlene L. Burcham', written in a cursive style.

Darlene L. Burcham
City Manager

DLB:blk

Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

#CMO2-00186

**City of Roanoke
Percent-for-Art Program Guidelines
September 3, 2002**

Mission

The mission of the Percent-for-Art Program (the "Program") is to provide a consistent method for funding works of public art to:

- Enhance the quality of life for Roanoke's citizens;
- Create a heightened sense of place and community identity;
- Enliven the visual quality of public space; and
- Stimulate Roanoke's vitality and economy.

Such public art shall be easily accessible to the public and be created with the involvement of the community.

Program Guidelines

1. City staff will review upcoming capital improvement projects each fiscal year, and develop an annual budget for the Program by selecting one or more projects considered eligible for inclusion. An amount equivalent to one percent of the construction cost for each project will be used as a basis for developing a comprehensive plan (the "Plan") for enhancing public art. No more than \$100,000 per eligible project may be allocated through the one percent calculation.
2. Projects eligible for inclusion in the Program include new construction or major renovation of public buildings, decorative or commemorative structures, parks and recreation facilities, and parking facilities. Generally, the Program is not intended to apply to street and sidewalk construction or utility installations.
3. The Roanoke Arts Commission (the "Commission") will develop a comprehensive plan for enhancing public art based on the budget developed by City staff. The Plan is not restricted to providing public art for the capital improvement projects upon which the Program budget is based, but it can include public art to enhance the aesthetic quality of a specific capital improvement project.
4. Public art such as sculpture and paintings are eligible for inclusion in this Plan. Other aesthetic enhancements such as fountains, landscaping, textured walls, mosaics, tiled columns, patterned pavement, grillwork, and other ornamentation are equally appropriate design considerations.
5. The Plan will be presented to the City Manager by December 31st each fiscal year for review and approval. The City Manager will present the Plan to City Council for review and approval, as well as appropriation of necessary funding.

6. Acquisition of any public art will occur as part of the City's normal procurement process from funds appropriated by City Council. Upon request of the City Manager, the Commission may assist in the selection of artists or art consultants; however, City Council will have final approval authority for the design of any public art. The Commission may also monitor the implementation of any approved work of art at the request of the City Manager.

Roanoke Arts Commission

215 Church Avenue, S.W., Room 456
540-853-2541

28 August 2002

The Honorable Mayor and Members of City Council
C/O office of the City Clerk
215 Church Avenue
Roanoke, Virginia 24011

Re: Percent for Art Guidelines

Dear Mayor and Members of City Council:

The Roanoke Arts Commission applauds Roanoke City Council for its proactive stance regarding economic development and quality of life for city residents in directing city staff to revise the Percent for Art program guidelines and funding mechanism. We are pleased to have had the opportunity to review with staff the revised program guidelines.

The Commission offers for your review and approval a few amendments to the guidelines revised by staff. These amendments serve to clarify the intent and procedures of the guidelines and to bring them more completely into compliance with the intent of staff as expressed in the letter to Council from Mrs. Burcham dated September 3, 2002, and the desires of Council as noted in the minutes of Council work sessions from March and April. The amendments have been included in the body of the guidelines prepared by staff and are clearly identified through underlining and strikethrough.

It should be noted that the Comprehensive Public Arts Plan required by council in the new guidelines is currently in its formative stages and was identified by the Commission as a high-priority goal at our recent planning session. The public should be pleased that the planning intent of the Commission and the direction it receives from Council are complimentary and together work for the greater benefit of the city.

We encourage your approval of the guidelines as amended.

Sincerely,



Mark C. McConnel, AIA
Chairman, Roanoke Arts Commission

Cc: Stephanie Moon, Deputy City Clerk
Darlene Burcham, City Manager

City of Roanoke
Percent-for-Art Program Guidelines
September 3, 2002

Mission

The mission of the Percent-for-Art Program (the "Program") is to provide a consistent method for funding works of public art to:

- Enhance the quality of life for Roanoke's citizens;
- Create a heightened sense of place and community identity;
- Enliven the visual quality of public space; and
- Stimulate Roanoke's vitality and economy.

Such public art shall be physically easily accessible to the public and be created with the involvement of the community.

Program Guidelines

1. City staff will ~~review upcoming capital improvement projects each fiscal year, and~~ develop an annual budget for the Program by identifying an selecting one or more projects considered eligible for inclusion. An amount equivalent to one percent of the construction cost for each new project in the CIP, subject to exclusions and limits noted herein. The amount identified will be used as a basis for implementation of the ~~developing a comprehensive plan (the "Plan") for enhancing public art. No more than \$100,000 per eligible project may be allocated through the one percent calculation.~~
2. Projects eligible for inclusion in the Program include new construction or major renovation of public buildings, decorative or commemorative structures, parks and recreation facilities, and parking facilities. Generally, the Program is not intended to apply to street and sidewalk construction or utility installations.
3. The Roanoke Arts Commission (the "Commission") will develop a comprehensive plan for enhancing public art, which will be implemented as funding is made available through the Program by City Council. based on the budget developed by City staff. The Plan is not restricted to providing public art for the capital improvement projects upon which the Program budget is based, but it can include public art to enhance the aesthetic quality of a specific capital improvement project.
4. Public art such as sculpture and paintings are eligible for inclusion in this Plan. Other aesthetic enhancements such as fountains, landscaping, textured walls, mosaics, tiled columns, patterned pavement, grillwork, and other ornamentation are equally appropriate design considerations.

5. The Plan, and updates thereto, will be presented to City Council by the City Manager and the Roanoke Arts Commission by December 31st each fiscal year for review and approval. ~~The City Manager will present the Plan to City Council for review and approval,~~ as well as appropriation of necessary funding.
6. Acquisition of any public art will occur as part of the City's normal procurement process from funds appropriated by City Council. The Roanoke Arts Commission, maintaining its advisory role to Council, will facilitate selection and placement of art in the city. ~~Upon request of the City Manager, the Commission may assist in the selection of artists or art consultants;~~ However, City Council will have final approval authority for the procurement design of any public art. The Commission will ~~may~~ also monitor the implementation and maintenance of any approved work of art, ~~at the request of the City Manager.~~

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

WMT
A RESOLUTION endorsing a Percent-for-Art Program, and repealing Resolution No. 33077-081996, adopted on August 19, 1996, which adopted certain guidelines for the Percent-for-Art Program; and adopting new guidelines for the Program.

WHEREAS, the inclusion of works of art and artistry in the City will enhance the aesthetic quality of public spaces and stimulate the vitality and economy of the City; and

WHEREAS, by Resolution No. 33077-081996, adopted August 19, 1996, City Council endorsed the Program and adopted certain guidelines for the Program, and at this time new guidelines need to be adopted and the abovementioned Resolution should be repealed;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. Resolution No. 33077-081996, adopted August 19, 1996, is hereby REPEALED.
2. City Council hereby approves and adopts the guidelines for a Percent-for-Art Program, dated August 19, 2002, and attached to the City Manager's report of September 3, 2002, in accordance with the recommendation contained in the report.
3. The City Manager is hereby authorized to promulgate regulations, not inconsistent with such guidelines, for the implementation of the Percent-for-Art Program.
4. Any procurement of art or artistry in connection with the Percent-for-Art Program shall be pursuant to the Virginia Public Procurement Act and Chapter 23.1, Procurement, Code of the City of Roanoke (1979), as amended.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
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CityWeb: www.roanokegov.com

September 3, 2002

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice-Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Relocation of School
Transportation Facility

Background:

The School Transportation Facility (the "Facility") now located on Courtland Avenue adjacent to the Public Works Service Center needs to be relocated to accommodate construction of the new Stadium/Amphitheater. The 27 year old facility will be replaced with a new facility of like construction. Several options have been explored by City staff in cooperation with School system officials, including the relocation of various City operations to allow location of the Facility on the current Public Works Service Center site.

However, the option determined to be the best solution by City staff and School officials is the relocation of the Facility to a City-owned site on Barns Avenue adjacent to the Roanoke Regional Airport. School officials feel this site offers the following benefits:

- Allows for construction of an efficient transportation facility without access or parking constraints;

- Provides quick access to I-581 and allow the Schools to maintain the current bus routing system with little or no increase in travel time;
- Reduces bus delays caused by traffic congestion;
- Offers a future opportunity to relocate the school system's facility maintenance operations from Reserve Avenue that will be affected by the Roanoke River Flood Reduction Project; and
- Allows for the potential future consolidation of the school system's transportation, facility maintenance, warehousing, and food service operations at one location, resulting in future operational savings.

The costs of relocating the School Transportation facility to either the Barns Avenue site or the Public Works Service Center site are essentially the same.

Considerations:

The project is estimated to cost \$1,226,970 and will be a "design to budget" project to mitigate the possibility of cost overruns. School officials will engage an architectural firm of their choosing to design the project, but City Engineering Division staff will be responsible for overall project management to ensure that the project is constructed in time to allow relocation of the current Facility no later than Spring Break 2003. School officials have agreed to contribute \$226,970 to fund the project, with the City funding the remaining \$1,000,000 in project cost. To expedite the project, it is necessary to appropriate funding at this time.

Recommended Action:

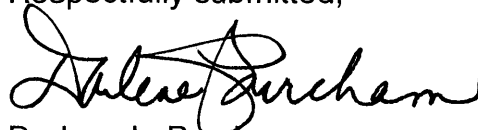
City Council appropriate \$1,000,000 from the following source to a new capital project account to be created by the Director of Finance entitled "School Transportation Facility":

Capital Project Fund Undesignated Fund Balance	\$1,000,000
------------------------------------------------	-------------

(Note: This one-time funding is available due to the administrative hold placed on non-critical capital expenditures during FY 2002 and the close-out of several other completed capital projects.)

The School Board will request City Council to appropriate its \$226,970 share of the project cost at a future date.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:blk

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

#CM02-00193

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects and School Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects and School Capital Projects Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Capital Projects Fund

Appropriations

Nondepartmental	\$ 1,000,000
Transfers to Other Funds (1)	1,000,000

Fund Balance

Fund Balance Available for Appropriation (2)	\$ 1,141,488
----------------------------------------------------	--------------

School Capital Projects Fund

Appropriations

Education	\$ 26,238,375
School Transportation Facility (3)	1,000,000

Revenues

Miscellaneous	\$ 1,000,000
Transfer from Capital Projects Fund (4)	1,000,000

1) Transfer to School Capital Projects Fund	(008-530-9712-9531)	\$1,000,000
2) Other Fund Balance Balance Available	(008-3349)	(1,000,000)
3) Appropriated from General Revenue	(031-060-6065-6896-9003)	1,000,000
4) Transfer from Capital Projects Fund	(031-060-6052-1237)	1,000,000

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

September 3, 2002

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Replace Main Roof
Municipal Building South
215 Church Avenue, S. W.
Roanoke, Virginia
Bid No. 02-06-07

This project consists of the removal of the roofing materials and insulation (down to the structural deck) over the fourth floor and the fifth floor mechanical room of the Municipal Building South. Both areas are to be replaced with tapered insulation and a 60 mil EPDM roof membrane.

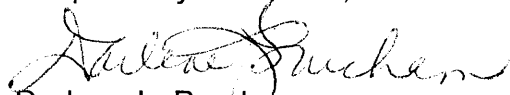
After proper advertisement, six bids were received on August 1, 2002, with John T. Morgan Sheet Metal Company, Incorporated, 1620 Sixth Street, N. E., Roanoke, Virginia, 24012, submitting the low bid in the amount of \$125,893.00, see attached bid tabulation. Construction time was specified as forty-five (45) consecutive calendar days.

The total funding for this project is \$127,500.00. Additional funding in excess of the contract amount will be used for miscellaneous project expenses including advertising, reproduction of contract documents and project contingency. Funding is available in Facilities Management account number 001-440-4330-3057.

Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with John T. Morgan Sheet Metal Company, Incorporated, in the amount of \$125,893.00, with forty-five (45) consecutive calendar days of contract time, and reject all other bids.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB/LBC/na

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Robert H. Bird, Acting Manager, Purchasing Department
Sherman M. Stovall, Acting Manager, Facilities Management
Philip C. Schirmer, P.E., L.S., City Engineer

#CM02-00196

TABULATION OF BIDS

**REPLACE MAIN ROOF
MUNICIPAL BUILDING SOUTH
ROANOKE, VIRGINIA
BID NO. 02-06-07**

Bids were opened by Robert H. Bird, Acting Manager, Purchasing Department, on Thursday, August 1, 2002, at 2:00 p.m.

CONTRACTOR	LUMP SUM BID	ADDENDUM I	BID BOND
John T. Morgan Sheet Metal Company, Incorporated	125,893	Yes	Yes
Frank Kerby & Sons, Inc.	148,700	No	Yes
Consolidated Industrial Roofing, Inc.	153,445	Yes	Yes
A.S. Pugh of Roanoke, Inc.	170,714	No	Yes
Melvin T. Morgan Roofing and Sheet Metal Co., Inc.	185,203	Yes	Yes
Carolina Roofing, Inc.	293,921	Yes	Yes

A specified time of forty-five (45) consecutive calendar days construction time.

Estimated cost: \$100,000

Office of the City Engineer
Roanoke, Virginia
August 1, 2002

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE accepting the bid of John T. Morgan Sheet Metal Company, Incorporated, for roof replacement of the fourth floor and the fifth floor mechanical room of the Municipal Building South, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The bid of John T. Morgan Sheet Metal Company, Incorporated, in the amount of \$125,893.00 for roof replacement of the fourth floor and the fifth floor mechanical room of the Municipal Building South, as is more particularly set forth in the City Manager's Letter dated September 3, 2002, to this Council, such bid being in full compliance with the City's plans and specifications made therefor and as provided in the contract documents offered the bidder, which bid is on file in the Purchasing Division, be and is hereby ACCEPTED.

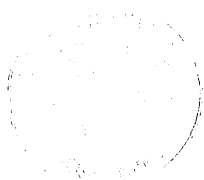
2. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, the requisite contract with the successful bidder, based on its proposal made therefor and the City's specifications made therefor, the contract to be in such form as is approved by the City Attorney, and the cost of the work to be paid for out of funds heretofore or simultaneously appropriated by Council.

3. Any and all other bids made to the City for the above work are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

4. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

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September 3, 2002

Honorable Ralph K. Smith, Mayor
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Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr. Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Dental Insurance Contract

Background:

Dental Insurance for government and school employees has been provided by Delta Dental Plan of Virginia to the Roanoke Valley Consortium (RVC) since 1998. Plan participants within the RVC for dental coverage include the City of Roanoke, Roanoke County Government, Roanoke County Schools and the Roanoke International Airport. At the direction of participating members of RVC, Palmer & Cay Consulting Group (PCCG) solicited competitive proposals for the dental plan.

Considerations:

Of the 11 carriers who received the request for proposal, four proposals were received and evaluated by PCCG. These carriers were CIGNA, Delta Dental, MetLife and United Concordia. The increased premium rates for coverage initially ranged from 4.7% to 23%. CIGNA and MetLife were eliminated due to pricing


and plan design. United Concordia's proposal offered an additional orthodontia benefit but their overall dental network was very limited and the orthodontia benefit would drive costs up significantly in future years.

PCCG recommends that the RVC renew the contract with Delta Dental Plan of Virginia that includes a rate increase of 4.4% effective January 1, 2003 with rate caps of 5% for 2004 and 6% for 2005. This recommendation has been reviewed with the Employee Benefits Committee which concurred with the recommendation. Funding adopted within existing departmental accounts as part of the FY03 budget process is available to cover the anticipated departmental costs for the remainder of the fiscal year. Future budget adoption procedures will provide funding for years beyond FY03.

Recommendation Action:

Approve renewal of contract with Delta Dental Plan of Virginia.

Respectfully submitted,



Darlene L. Burcham,
City Manager

DLB:ksc

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

CM02-00192

IN THE COUNCIL FOR THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the execution of a contract and related documents with Delta Dental Plan of Virginia to provide group dental insurance for employees of the City and members of their families.

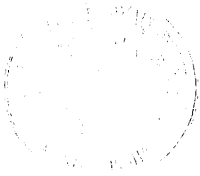
BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to execute a contract with Delta Dental Plan of Virginia, for group dental insurance for a term of three years beginning January 1, 2003, and ending December 31, 2005, and any other necessary and appropriate documents setting forth the obligations of each party thereto, and setting forth such terms as shall be consistent with the terms negotiated by and between the City and Delta Dental Plan of Virginia and described in a letter to Council by the City Manager dated September 3, 2002.

2. Said contract shall be delivered, if possible, to the City not later than December 15, 2002, fully executed by Delta Dental Plan of Virginia and ready for execution by the City. Such contract and any other necessary and appropriate documents shall be in form approved by the City Attorney.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

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September 3, 2002

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Extension for the Fourth Year
 to Remove, Transport and Dispose of
 Bio-Solids from the Water Pollution
 Control Plant, 1402 Bennington Street,
 S.E., Roanoke, Virginia

Bids were received on July 1, 1999 to properly remove, transport and dispose of lagooned bio-solids by land application. Robinson Pipe Cleaning Company, One Rainey Road, Eighty Four, Pennsylvania 15330, submitted the low bid of \$84.47 per dry ton with a minimum of 10,000 dry tons and a maximum of 12,000 dry tons. The contract was started on October 1, 1999.

In the one year contract, the City reserved the right to extend the contract each year for up to a total of five years. The contract has been extended by the City twice, most recently from October 1, 2000, through September 30, 2001, at a unit price of \$87.57 per dry ton. Robinson Pipe Cleaning Company agreed to continue their 2000-2001 cost per dry ton of \$87.57 for the 2001-2002 contract year from October 1, 2001 to September 30, 2002, and the City extended the contract for that additional year. The quantity of bio-solids for the 2001-2002 year was for 8,000 dry tons minimum to 10,000 dry tons maximum, a reduction of 2,000 dry tons from the 2000-2001 year extension, which was due to administrative cost saving measures at the plant.

The City now wishes to extend the contract to a fourth year, October 1, 2002 to September 30, 2003, with an increase in the cost per dry ton based on the June 2002 Philadelphia Office Consumer Price Index, as provided in the contract.

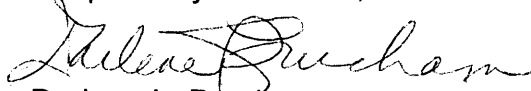
This third amendment to the contract with Robinson Pipe Cleaning Company will be at a unit price per dry ton of \$89.66, with a minimum of 8,000 dry tons, or \$717,280.00; and a maximum of 10,000 dry tons, or \$896,600.00. The base contract will be for the 8,000 dry tons with additional tonnage up to the 10,000 dry tons maximum being approved monthly by administrative change order.

Funding is available in Sewage Fund Administration - Fees for Professional Services account number 003-510-3150-2010 for fiscal year 2003. Fiscal year 2004 funding will be provided during the annual budget process in the same account.

Recommended Action:

Authorize the City Manager to enter into an amendment for a one year extension, from October 1, 2002 through September 30, 2003, of the contract with Robinson Pipe Cleaning Company, to remove and properly dispose of a minimum of 8,000 dry tons and a maximum of 10,000 dry tons of lagooned bio-solids from the existing five (5) lagoons at the Water Pollution Control Plant at the unit price of \$89.66 per dry ton. The cost of 8,000 minimum dry tons would be \$717,280.00 and the cost of 10,000 maximum dry tons would be \$896,600.00.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/LBC/na

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Philip C. Schirmer, P.E., L.S., City Engineer

#CM02-00194

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing execution of an amendment extending for an additional term of one year a contract with Robinson Pipe Cleaning Company for removing, transporting and disposing of digested lagooned bio-solids from the City's Water Pollution Control Plant; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, an amendment to a contract dated August 2, 1999, with Robinson Pipe Cleaning Company extending such contract for removing, transporting and disposing of digested lagooned bio-solids from the City's Water Pollution Control Plant, for an additional term of one year at a cost of \$89.66 per dry ton, with a minimum of 8,000 dry tons of bio-solids and a maximum of 10,000 dry tons of bio-solids during the period of October 1, 2002 through September 30, 2003, for a minimum amount of \$717,280.00 and a maximum amount of \$896,600.00, as more particularly set forth in the letter of the City Manager to Council dated September 3, 2002.
2. The form of the amendment shall be approved by the City Attorney.
3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk



CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

September 3, 2002

The Honorable Ralph K. Smith, Mayor
 The Honorable C. Nelson Harris, Vice Mayor
 The Honorable William D. Bestpitch, Council Member
 The Honorable William H. Carder, Council Member
 The Honorable M. Rupert Cutler, Council Member
 The Honorable Alfred T. Dowe, Jr., Council Member
 The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: July Financial Report

This financial report covers the first month of the 2002-2003 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General Fund revenues reflect an increase \$617,000 compared to FY02. Certain year end accruals were made to record revenues received in July and August of 2002 which were related to the prior year. Reversal of these accruals without adequate offsetting collections in the current year cause certain revenue balances to be negative at July 31st. Variances in specific categories of revenues are as follows:

General Property Taxes increased \$259,000. Real estate and personal property taxes were up slightly from the prior year. However, the majority of property tax revenue will be received in future months as the taxes become due. Penalties and interest also increased.

Other Local Taxes were up \$500,000. Cellular phone tax revenue continued to increase, up almost \$50,000 from the same period of the prior year. The admissions tax rate increased from 5% to 6.5% effective July 1, 2002, and revenue was up accordingly. The elimination of the seller's discount, which also became effective July 1, 2002, contributed to the increases in prepared food and beverage tax and cigarette tax. Utility consumer taxes rose due to timing differences.

Permits, Fees and Licenses decreased \$21,000. Permit valuations for commercial projects during July of the current fiscal year were lower than the same period in the prior year, having a negative impact on building inspection fees. Heating and plumbing inspection fees also declined.

Fines and Forfeitures rose \$51,000. General District Court fines were up approximately 36% due to an increase in caseload. Revenues from parking tickets increased by \$33,000 as compared to the same period in the prior year. Civilianizing of the ticketing function combined with an increase in parking fines has led to an increase in parking ticket revenues.

Revenue from Use of Money and Property is down \$8,000. Lower short-term interest rates cause this decline.

Grants-in-Aid-Commonwealth declined \$198,000. As anticipated, the revenue received from the state under the Virginia Juvenile Community Crime Control Act (VJCCCA) for the first quarter of FY03 decreased from the prior year. The State is expected to cut VJCCCA program revenues for FY03 by 51%. HB599 funding will be reduced for FY03 also. Rolling stock and rental car taxes are down due to timing differences. Social services revenue increased slightly, partially offsetting these declines.

Charges for Services rose \$16,000. Several new fees were authorized by the 2002 General Assembly and were effective July 1, 2002, including a courthouse security fee, inmate processing fee, and DNA sampling fee. Circuit Court Clerk fees were also up. A rate increase in EMS fees was effective April 1, 2002, contributing to the increase in this category. A decline in weed cutting and demolition revenue partially offsets these increases.

Miscellaneous Revenue is up \$18,000 largely due to timing differences. Damages to City property increased slightly from the prior year.

Internal Services rose slightly due to earlier receipt of payment from the Roanoke Valley Detention Commission (RVDC) for financial services provided by the City, offset by a decrease in internal billings for engineering and street maintenance services.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances increased \$7,598,000 since FY02. A large portion of this increase was attributable to three paydays falling in July of FY03. Thus, FY03 expenditures for each category reflect charges for an additional pay period as compared to the prior year. Increases in the General Government category and the labor-intensive Public Safety category are caused by the additional payroll charges. Other variances in individual expenditure categories are discussed as follows:

Judicial Administration costs rose \$138,000. Circuit Court expenditures increased due to renovation costs and furniture purchases.

Public Works expenditures increased \$399,000 due to the encumbrance of funds for janitorial, mowing and weed control services and an increase in paving program expenditures.

Health and Welfare expenditures rose \$631,000. Timing differences in payment to Blue Ridge Behavioral Healthcare, Total Action Against Poverty and payments under the state and local hospitalization program contributed to this increase.

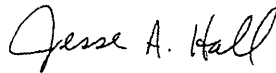
Parks, Recreation and Cultural costs are up \$111,000 due to earlier payment of various subsidies in the Roanoke Arts Commission cost center in the current year.

Community Development expenditures increased \$322,000 due to earlier payment of subsidies in the Memberships and Affiliations cost center. Housing and neighborhood services costs also increased. In September of FY01, this department was reorganized and additional positions were added to handle changes in the code enforcement area. Thus, the first few months of FY02 prior to reorganization reflect lower expenditures.

The Transfer to Debt Service Fund increased \$5,749,000 from the same period in the prior year due to the timing of general obligation bond principal and interest payments. Payments were made in July of the current year, while payments were made in August of the prior year.

Nondepartmental expenditures decreased \$1,334,000 due to a timing difference in the transfers to Capital Projects Fund. Transfers to the Grant Fund were less in FY03 due to the substantial decrease in VJCCCA funding transferred. As mentioned previously, the state cut this funding source for FY03.

I would be pleased to answer questions City Council may have regarding the monthly financial statements.



Director of Finance

JAH/tht
Attachments

CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
JULY 31, 2002

Transfer Number	Date	Explanation	From	To	Amount
General Fund:					
				Total General Fund	\$ -
					<u>\$ -</u>
Capital Projects Fund:					
				Total Capital Projects Fund	\$ -
					<u>\$ -</u>
Available Contingency					
		Balance of Contingency at July 1, 2002			\$476,300
		*Contingency Appropriations From Above			-
		Contingency Appropriations Through Budget Ordinances:			-
		Available Contingency at July 31, 2002			<u>\$476,300</u>

**CITY OF ROANOKE, VIRGINIA
GENERAL FUND**

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - July 31 2001-2002	July 1 - July 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
General Property Taxes	\$ (585,811)	\$ (327,103)	44.16 %	\$ 78,340,707	-0.42%
Other Local Taxes	(1,600,591)	(1,100,879)	31.22 %	59,301,164	-1.86%
Permits, Fees and Licenses	93,072	71,897	-22.75 %	1,030,694	6.98%
Fines and Forfeitures	76,340	127,060	66.44 %	1,116,350	11.38%
Revenue from Use of Money and Property	75,026	67,132	-10.52 %	1,082,729	6.20%
Grants-in-Aid Commonwealth	(650,164)	(848,362)	-30.48 %	45,687,395	-1.86%
Grants-in-Aid Federal Government	-	-	0.00 %	34,300	0.00%
Charges for Services	245,254	261,410	6.59 %	4,353,761	6.00%
Miscellaneous Revenue	5,705	23,646	314.48 %	295,045	8.01%
Internal Services	21,222	22,742	7.16 %	2,302,219	0.99%
Total	\$ (2,319,947)	\$ (1,702,457)	26.62 %	\$ 193,544,364	-0.88%

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		Percent of Budget Obligated
	July 1 - July 31 2001-2002	July 1 - July 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	
General Government	\$ 1,060,967	\$ 1,241,710	17.04 %	\$ 10,377,419	\$ 11,619,129	10.69%
Judicial Administration	457,717	595,811	30.17 %	5,697,595	6,293,406	9.47%
Public Safety	3,564,419	4,904,143	37.59 %	41,426,126	46,330,269	10.59%
Public Works	4,275,098	4,673,929	9.33 %	20,960,604	25,634,533	18.23%
Health and Welfare	1,063,397	1,694,666	59.36 %	25,792,069	27,486,735	6.17%
Parks, Recreation and Cultural	511,747	622,968	21.73 %	3,083,198	3,706,166	16.81%
Community Development	378,170	700,586	85.26 %	4,598,570	5,299,156	13.22%
Transfer to Debt Service Fund	78,550	5,827,993	7,319.47 %	11,019,049	16,847,042	34.59%
Transfer to School Fund	3,832,306	3,893,062	1.59 %	42,823,683	46,716,745	8.33%
Nondepartmental	1,718,484	384,229	-77.64 %	5,660,752	6,044,981	6.36%
Total	\$ 16,940,855	\$ 24,539,097	44.85 %	\$ 171,439,065	\$ 195,978,162	12.52%

Notes:

Certain reclassifications have been made to prior year financial statements to conform to current year presentation.
The reversal of year end accruals, with no offsetting activity in the current year, caused certain revenues to be negative as of July 31.

**CITY OF ROANOKE, VIRGINIA
SCHOOL FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - July 31 2001-2002	July 1 - July 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
State Sales Tax	\$ (751,736)	\$ (750,000)	-0.23 %	\$ 9,226,504	-8.13 %
Grants-in-Aid Commonwealth	2,697,113	2,966,521	9.99 %	43,236,695	6.86 %
Grants-in-Aid Federal Government	2,742	3,476	26.77 %	115,298	3.01 %
Charges for Services	(142,693)	77,266	-154.15 %	2,127,968	3.63 %
Transfer from General Fund	3,832,306	3,893,062	1.59 %	46,716,745	8.33 %
Special Purpose Grants	1,136,428	(747,505)	-165.78 %	1,572,795	NA
Total	\$ 6,774,160	\$ 5,442,820	-19.65 %	\$ 102,996,005	5.28 %

SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - July 31 2001-2002	July 1 - July 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Instruction	\$ 2,676,682	\$ 2,635,921	-1.52 %	\$ 75,379,887	\$ 78,015,808	3.38 %
General Support	280,405	13,474	-95.19 %	4,009,460	4,022,934	0.33 %
Transportation	60,603	141,024	132.70 %	3,877,194	4,018,218	3.51 %
Operation and						
Maintenance of Plant	194,852	1,078,732	453.62 %	9,838,681	10,917,413	9.88 %
Facilities	775,817	951,637	22.66 %	4,160	955,797	99.56 %
Other Uses of Funds	4,575,513	2,646,437	-42.16 %	2,349,022	4,995,459	52.98 %
Special Purpose Grants	1,032,407	1,572,795	52.34 %	-	1,572,795	NA
Total	\$ 9,596,279	\$ 9,040,020	-5.80 %	\$ 95,458,404	\$ 104,498,424	8.65 %

Note: There are revenue sources that have a negative balance due to the reversal of year-end accruals with no offsetting activity in the current year. Also, certain reclassifications have been made to prior year financial statements to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
SCHOOL FOOD SERVICE FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - July 31 2001-2002	July 1 - July 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
Grants-in-Aid Commonwealth	\$ -	\$ -	\$ - %	\$ 84,464	0.00 %
Grants-in-Aid Federal Government	-	18,087	100.00 %	2,747,730	0.66 %
Charges for Services	75,172	15,812	-78.97 %	1,689,923	0.94 %
Total	\$ 75,172	\$ 33,899	-54.90 %	\$ 4,522,117	0.75 %

SCHOOL FOOD SERVICE FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - July 31 2001-2002	July 1 - July 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Food Services	\$ 207,552	\$ 98,680	-52.46 %	\$ 4,426,811	\$ 4,525,491	2.18 %
Facilities	-	2,956	100.00 %	16,978	2,956	100.00 %
Total	\$ 207,552	\$ 101,636	-51.03 %	\$ 4,443,789	\$ 4,528,447	2.24 %

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF JULY 31, 2002**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
General Government	\$ 13,246,584	\$ 11,716,214	\$ 1,530,370	\$ 126,791	\$ 1,403,579
Flood Reduction	21,808,387	9,344,284	12,464,103	1,420,175	11,043,928
Economic Development	32,901,540	23,181,264	9,720,276	95,519	9,624,757
Community Development	6,016,143	3,953,540	2,062,603	619,522	1,443,081
Public Safety	8,384,471	7,211,883	1,172,588	219,279	953,309
Recreation	27,776,537	6,637,207	21,139,330	1,823,187	19,316,143
Streets and Bridges	25,471,040	21,445,895	4,025,145	2,315,728	1,709,417
Storm Drains	2,997,131	1,852,076	1,145,055	493,441	651,614
Traffic Engineering	5,276,952	4,142,767	1,134,185	1,002,474	131,711
Capital Improvement Reserve	7,818,963	-	7,818,963	-	7,818,963
Total	\$ 151,697,748	\$ 89,485,130	\$ 62,212,618	\$ 8,116,116	\$ 54,096,502

**CITY OF ROANOKE, VIRGINIA
SCHOOL CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF JULY 31, 2002**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
Elementary Schools Renovation	\$ 17,558,105	\$ 12,580,670	\$ 4,977,435	\$ 323,272	\$ 4,654,163
Middle Schools Renovation	2,840,307	2,692,235	148,072	105,950	42,122
High Schools Renovation	3,525,763	3,495,328	30,435	153	30,282
Interest Expense	262,929	251,380	11,549	-	11,549
Capital Improvement Reserve	1,051,271	-	1,051,271	-	1,051,271
Total	\$ 25,238,375	\$ 19,019,613	\$ 6,218,762	\$ 429,375	\$ 5,789,387

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
COMPARATIVE STATEMENT OF REVENUES
FOR THE MONTH ENDING JULY 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Interest Revenue:		
Interest on Bond Proceeds	\$ 95,279	\$ 65,117
Interest on SunTrust Lease	238	1,922
Interest on Idle Working Capital	<u>32,145</u>	<u>66,646</u>
Total Interest Revenue	<u>127,662</u>	<u>133,685</u>
Multi Year Revenues:		
Intergovernmental Revenue:		
Commonwealth:		
Virginia Transportation Museum - ISTE	<u>-</u>	<u>16,176</u>
Total Intergovernmental Revenue	<u>-</u>	<u>16,176</u>
Other Revenue:		
Transfers from General Fund	<u>-</u>	<u>1,144,900</u>
Total Other Revenue	<u>-</u>	<u>1,144,900</u>
Total	<u><u>\$ 127,662</u></u>	<u><u>\$ 1,294,761</u></u>

**CITY OF ROANOKE, VIRGINIA
WATER FUND
COMPARATIVE INCOME STATEMENT
FOR THE MONTH ENDING JULY 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Commercial Sales	\$ 175,348	\$ 163,154
Domestic Sales	(159,092)	(150,292)
Industrial Sales	18,061	27,546
Town of Vinton	-	-
City of Salem	-	-
County of Botetourt	-	-
County of Bedford	(5,813)	-
Customer Services	29,532	50,328
Charges for Services	194,218	135,286
Total Operating Revenues	<u>252,254</u>	<u>226,022</u>
Operating Expenses		
Personal Services	452,580	301,593
Operating Expenses	(53,323)	226,915
Depreciation	154,857	138,746
Total Operating Expenses	<u>554,114</u>	<u>667,254</u>
Operating Loss	<u>(301,860)</u>	<u>(441,232)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	14,332	27,506
Rent	13,000	5,642
Miscellaneous Revenue	5,962	4,452
Interest and Fiscal Charges	(79,829)	(86,146)
Net Nonoperating Expenses	<u>(46,535)</u>	<u>(48,546)</u>
Net Loss	<u><u>\$ (348,395)</u></u>	<u><u>\$ (489,778)</u></u>

Note: Reversal of year end accruals with no offsetting activity in the current year caused certain Revenues and Operating Expense to be negative.

**CITY OF ROANOKE, VIRGINIA
WATER POLLUTION CONTROL FUND
COMPARATIVE INCOME STATEMENT
FOR THE MONTH ENDING JULY 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Sewage Charges - City	\$ 1,182	\$ 4,214
Sewage Charges - Roanoke County	-	-
Sewage Charges - Vinton	-	-
Sewage Charges - Salem	-	-
Sewage Charges - Botetourt County	-	-
Customer Services	100,579	45,037
Interfund Services	<u>8,062</u>	<u>8,882</u>
Total Operating Revenues	<u>109,823</u>	<u>58,133</u>
Operating Expenses		
Personal Services	223,163	166,184
Operating Expenses	257,344	42,529
Depreciation	<u>155,107</u>	<u>151,957</u>
Total Operating Expenses	<u>635,614</u>	<u>360,670</u>
Operating Loss	<u>(525,791)</u>	<u>(302,537)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	15,657	23,796
Interest and Fiscal Charges	(61,991)	(63,298)
Miscellaneous Revenue	<u>296</u>	<u>91</u>
Net Nonoperating Revenues (Expenses)	<u>(46,038)</u>	<u>(39,411)</u>
Net Loss	<u><u>\$ (571,829)</u></u>	<u><u>\$ (341,948)</u></u>

**CITY OF ROANOKE, VIRGINIA
CIVIC CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE MONTH ENDING JULY 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Rentals	\$ 39,418	\$ 3,141
Event Expenses	17,605	-
Admissions Tax	2,581	-
Electrical Fees	1,260	-
Facility Surcharge	3,236	-
Charge Card Fees	1,080	-
Commissions	92	-
Catering/Concessions	54,460	373
Other	245	39
	<u>119,977</u>	<u>3,553</u>
Total Operating Revenues		
	<u>119,977</u>	<u>3,553</u>
Operating Expenses		
Personal Services	165,785	134,656
Operating Expenses	129,683	111,144
Depreciation	88,851	40,950
	<u>384,319</u>	<u>286,750</u>
Total Operating Expenses		
	<u>384,319</u>	<u>286,750</u>
Operating Loss	<u>(264,342)</u>	<u>(283,197)</u>
Nonoperating Revenues		
Interest on Investments	4,910	3,935
Miscellaneous	5	44
	<u>4,915</u>	<u>3,979</u>
Total Nonoperating Revenues		
	<u>4,915</u>	<u>3,979</u>
Net Loss	<u><u>\$ (259,427)</u></u>	<u><u>\$ (279,218)</u></u>

**CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE MONTH ENDING JULY 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Century Station Parking Garage	\$ 33,373	\$ 33,330
Williamson Road Parking Garage	36,646	36,366
Market Square Parking Garage	19,089	19,410
Church Avenue Parking Garage	41,923	38,139
Tower Parking Garage	36,827	30,798
Williamson Road Surface Lots	5,493	5,360
Gainsboro Parking Garage	3,024	-
Norfolk Avenue Surface Lot	5,957	2,208
Gainsboro Surface Lot	<u>2,559</u>	<u>1,604</u>
Total Operating Revenues	<u>184,891</u>	<u>167,215</u>
Operating Expenses		
Operating Expenses	89,564	72,641
Depreciation	<u>45,424</u>	<u>44,548</u>
Total Operating Expenses	<u>134,988</u>	<u>117,189</u>
Operating Income	<u>49,903</u>	<u>50,026</u>
Nonoperating Revenues (Expenses)		
Transfer From General Fund	-	1,869
Interest on Investments	1,443	-
Interest and Fiscal Charges	(37,166)	(41,427)
Miscellaneous	<u>140</u>	<u>205</u>
Net Nonoperating Expenses	<u>(35,583)</u>	<u>(39,353)</u>
Net Income	<u><u>\$ 14,320</u></u>	<u><u>\$ 10,673</u></u>

**CITY OF ROANOKE, VIRGINIA
HOTEL ROANOKE CONFERENCE CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE MONTH ENDING JULY 31, 2002**

	FY 2003			FY 2002
	CONFERENCE			
	COMMISSION (1)	CENTER (2)	TOTAL	
Operating Revenues				
Conference Center	\$ -	\$ 188,858	\$ 188,858	\$ 274,728
Total Operating Revenues	<u>-</u>	<u>188,858</u>	<u>188,858</u>	<u>274,728</u>
Operating Expenses				
Personal Services	10,263	-	10,263	6,732
Fees for Professional Services	-	-	-	1,865
Administrative Expenses	328	-	328	659
Conference Center	<u>-</u>	<u>200,310</u>	<u>200,310</u>	<u>232,674</u>
Total Operating Expenses	<u>10,591</u>	<u>200,310</u>	<u>210,901</u>	<u>241,930</u>
Net Operating Income (Loss)	<u>(10,591)</u>	<u>(11,452)</u>	<u>(22,043)</u>	<u>32,798</u>
Nonoperating Revenues (Expenses)				
Contributions from City of Roanoke	31,250	-	31,250	-
Contributions from Virginia Tech	31,250	-	31,250	-
Construction Repairs	-	-	-	1,948
Interest on Investments	6,639	-	6,639	4,802
Rent, Taxes, Insurance, and Other	<u>-</u>	<u>(2,923)</u>	<u>(2,923)</u>	<u>(2,829)</u>
Net Nonoperating Revenues (Expenses)	<u>69,139</u>	<u>(2,923)</u>	<u>66,216</u>	<u>3,921</u>
Net Income Before Depreciation	58,548	(14,375)	44,173	36,719
Depreciation Expense/Replacement Reserve	<u>(42,603)</u>	<u>(9,427)</u>	<u>(52,030)</u>	<u>(55,817)</u>
Net Loss	\$ <u>15,945</u>	\$ <u>(23,802)</u>	\$ <u>(7,857)</u>	\$ <u>(19,098)</u>

Notes to Financial Statement:

- (1) The column entitled "Commission" represents Commission activity in the City's financial records.
- (2) The column entitled "Conference Center" represents actual revenue and expenses of the Conference Center, as provided by Doubletree Management.

**CITY OF ROANOKE, VIRGINIA
INTERNAL SERVICE FUNDS
COMPARATIVE INCOME STATEMENT
FOR THE MONTH ENDING JULY 31, 2002**

				TOTALS	
	Department of Technology	Fleet Management	Risk Management	FY 2003	FY 2002
Operating Revenues					
Charges for Services	\$ 332,813	\$ 207,840	\$ 732,979	\$ 1,273,632	\$ 1,004,576
Total Operating Revenues	332,813	207,840	732,979	1,273,632	1,004,576
Operating Expenses					
Personal Services	238,134	132,559	16,559	387,252	272,959
Operating Expenses	206,687	90,432	880,438	1,177,557	1,171,398
Depreciation	61,443	222,988	-	284,431	433,257
Total Operating Expenses	506,264	445,979	896,997	1,849,240	1,877,614
Operating Loss	(173,451)	(238,139)	(164,018)	(575,608)	(873,038)
Nonoperating Revenues (Expenses)					
Interest Revenue	8,889	1,814	19,254	29,957	59,227
Interest Expense	(7,550)	(43,133)	-	(50,683)	(5,610)
Transfers From Other Funds	80,623	278,761	-	359,384	232,443
Other Revenue	-	-	-	-	10,184
Net Nonoperating Revenues	81,962	237,442	19,254	338,658	296,244
Net Loss	\$ (91,489)	\$ (697)	\$ (144,764)	\$ (236,950)	\$ (576,794)

Note: Certain reclassifications have been made to prior year financial statements to conform to current year presentation

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED JULY 31, 2002

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR THE FUNDS OF SAID CITY FOR THE MONTH ENDED JULY 31, 2002.

FUND	BALANCE AT JUNE 30, 2002	RECEIPTS	DISBURSEMENTS	BALANCE AT JULY 31, 2002	BALANCE AT JULY 31, 2001
GENERAL	\$8,582,361.83	\$13,987,023.30	\$5,556,737.22	\$17,012,647.91	\$8,544,757.25
WATER	11,005,337.18	527,527.97	3,506,843.37	8,026,021.78	7,920,201.51
WATER POLLUTION CONTROL	9,544,640.75	2,176,568.34	2,627,321.10	9,093,887.99	7,527,784.32
CIVIC FACILITIES	5,153,753.81	121,172.37	916,765.31	4,358,160.87	1,131,245.15
PARKING	542,021.37	185,253.75	638,712.21	88,562.91	399,681.01
CAPITAL PROJECTS	63,441,044.56	508,933.60	2,336,031.81	61,613,946.35	37,393,765.20
CONFERENCE CENTER	4,274,107.39	50,823.42	86,586.36	4,238,344.45	4,401,589.74
RKE VALLEY DETENTION COMM	2,088,679.54	95,905.64	2,181,979.18	2,606.00	4,716,195.29
DEBT SERVICE	14,094,179.30	143,775.71	9,118,024.44	5,119,930.57	12,800,781.33
DEPT OF TECHNOLOGY	5,811,099.54	384,523.56	454,925.28	5,740,697.82	4,577,952.71
MATERIALS CONTROL	305,557.55	65,908.55	371,466.10	0.00	175,459.63
MANAGEMENT SERVICES	0.00	0.00	0.00	0.00	185,135.55
FLEET MANAGEMENT	687,256.21	197,264.92	635,345.41	249,175.72	114,791.79
PAYROLL	(3,174,053.24)	5,696,590.48	13,645,192.79	(11,122,655.55)	(5,186,932.34)
RISK MANAGEMENT	12,119,501.32	728,093.65	748,966.16	12,098,628.81	11,819,111.88
PENSION	549,598.21	344,150.80	9,487.76	884,261.25	1,080,455.90
SCHOOL FUND	10,275,257.27	5,627,452.52	8,661,040.03	7,241,669.76	5,111,216.99
SCHOOL CAPITAL PROJECTS	6,977,891.00	166,080.80	6,220.38	7,137,751.42	(412,951.43)
SCHOOL FOOD SERVICE	326,587.95	74,254.55	107,095.02	293,747.48	806,200.85
FDETC	47,779.55	154,509.31	76,816.24	125,472.62	49,498.61
GRANT	256,858.95	563,257.12	504,500.73	315,615.34	849,824.81
TOTAL	\$152,909,460.04	\$31,799,070.36	\$52,190,056.90	\$132,518,473.50	\$104,005,765.75

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED JULY 31, 2002.
THAT SAID FOREGOING:

CASH:

CASH IN HAND \$7,986.76
CASH IN BANK 2,294,197.54

INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:

COMMERCIAL HIGH PERFORMANCE MONEY MARKET 13,863,381.50
COMMERCIAL PAPER 11,484,420.55
LOCAL GOVERNMENT INVESTMENT POOL 26,978,987.45
MONEY MANAGEMENT ACCOUNT 10,208,370.93
REPURCHASE AGREEMENTS 5,000,000.00
U. S. AGENCIES 9,856,361.11
VIRGINIA AIM PROGRAM (U. S. SECURITIES) 52,824,767.66
TOTAL **\$132,518,473.50**

DATE: AUGUST 27, 2002


DAVID C. ANDERSON, TREASURER

**CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE MONTH ENDED JULY 31, 2002**

	<u>FY 2003</u>		<u>FY 2002</u>
<u>Additions:</u>			
Employer Contributions	\$ 116,241		\$ 102,736
Investment Income			
Net Appreciation (Depreciation) in Fair Value of Investments	(15,641,278)		(642,421)
Interest and Dividend Income	<u>(245,380)</u>	(1)	<u>(572,789)</u>
Total Investment Income (Loss)	(15,886,658)		(1,215,210)
Less Investment Expense	<u>(81,353)</u>	(1)	<u>(140,984)</u>
Net Investment Income (Loss)	<u>(15,805,305)</u>		<u>(1,074,226)</u>
Total Additions (Deductions)	<u>\$ (15,689,064)</u>		<u>\$ (971,490)</u>
 <u>Deductions</u>			
Benefits Paid to Participants	\$ 1,367,294		\$ 1,209,897
Administrative Expenses	<u>9,313</u>		<u>3,800</u>
Total Deductions	<u>1,376,607</u>		<u>1,213,697</u>
Net Increase (Decrease)	(17,065,671)		(2,185,187)
 Net Assets Held in Trust for Pension Benefits:			
Fund Balance July 1	<u>289,534,315</u>		<u>326,337,980</u>
Fund Balance July 31	<u>\$272,468,644</u>		<u>\$324,152,793</u>

(1) Negative amounts reflect the reversal of accrual accounting entries made for fiscal year-end financial reporting purposes.

**CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
JULY 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
<u>Assets</u>		
Cash	\$ 857,116	\$ 1,077,315
Investments, at Fair Value	272,991,282	324,083,056
Due from Other Funds	495	204,531
Other Assets	<u>5,785</u>	<u>5,434</u>
Total Assets	<u>\$ 273,854,678</u>	<u>\$ 325,370,336</u>
 <u>Liabilities and Fund Balance</u>		
Liabilities:		
Due to Other Funds	\$ 1,377,770	\$ 1,217,078
Accounts Payable	<u>8,264</u>	<u>465</u>
Total Liabilities	<u>1,386,034</u>	<u>1,217,543</u>
Fund Balance:		
Fund Balance, July 1	289,534,315	326,337,980
Net Gain (Loss) - Year to Date	<u>(17,065,671)</u>	<u>(2,185,187)</u>
Total Fund Balance	<u>272,468,644</u>	<u>324,152,793</u>
Total Liabilities and Fund Balance	<u>\$ 273,854,678</u>	<u>\$ 325,370,336</u>

WOODS, ROGERS & HAZLEGROVE ^P_L_C

Attorneys at Law

GEORGE J. A. CLEMO
540 983-7728
clemo@woodsrogers.com

August 28, 2002

Elizabeth K. Dillon, Esq.
Assistant City Attorney
464 Municipal Bldg.
215 Church Avenue, S.W.
Roanoke, VA 24011-1595

Re: Proposed \$800,000 Qualified Zone Academy Bond Financing for Lincoln
Terrace Elementary School

Dear Elizabeth:

As you may remember, last October, at the request of the Roanoke City School Board, City Council adopted Resolution No. 35606-101801 authorizing the School Board to rehabilitate the present school building at Lincoln Terrace Elementary School, authorizing an application to be filed with the Virginia Department of Education seeking an allocation of authority to issue qualified zone academy bonds ("QZABs") to finance a portion of the rehabilitation, and authorizing publication of a notice of public hearing to be held in connection with the proposed bond issuance. However, after extensive inquiry, the school system was at that time unable to find a buyer for the bond. Consequently, the public hearing, scheduled for November 5, 2001, was withdrawn from City Council's docket.

Under the applicable rules, the preliminary allocation by the Virginia Department of Education of \$800,000 in qualified zone academy bond issuance authority to this project was carried over to 2002. Additionally, upon further inquiry it appears that Bank of America is prepared to purchase the proposed qualified zone academy bond. Accordingly, Roanoke City Schools have requested that City Council again authorize publication of notice of a public hearing on the proposed bond issuance, to be held at its October 15, 2002, meeting. A public hearing is required under the Public Finance Act before the bond can be issued. At Council's October 15, 2002, meeting, immediately following the public hearing, we would also seek City Council's approval of a final resolution approving the final details of the bond and its issuance.

The resolution authorizing publication of a notice of public hearing, which I prepared and sent to you last week for Council's consideration at its upcoming September 3rd meeting, also authorizes the City School System to pay expenses of the rehabilitation project now, to be reimbursed with the proceeds of the QZAB following its issuance.

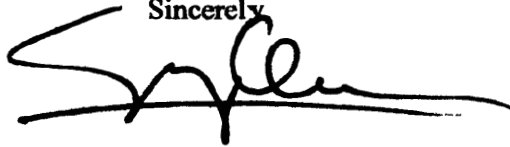
For your information I also attach a one page fact sheet summarizing the proposed Qualified Zone Academy bond issue for Lincoln Terrace Elementary School.

P. O. Box 14125 / Roanoke, Virginia 24038-4125
10 South Jefferson Street, Suite 1400 / Roanoke, Virginia 24011
540 983-7600 / Fax 540 983-7711
mail@woodsrogers.com
(RKE#0764588.DOC-1)
Offices also in Blacksburg, Charlottesville, Danville, Lynchburg and Richmond, Virginia

August 28, 2002
Page 2

As always, please do not hesitate to call me if there are any questions. Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. J. A. Clemon', written over a horizontal line.

George J. A. Clemon

GJAC:sg

Encl.

cc: Richard L. Kelley

QUALIFIED ZONE ACADEMY BOND FACT SHEET **LINCOLN TERRACE ELEMENTARY SCHOOL PROJECT**

General. Under the Internal Revenue Code, beginning in 1998 state and local governments have been authorized to issue a limited amount of "qualified zone academy bonds" (referred to as QZABs) to finance certain specific projects, such as rehabilitation, repair, course materials, teacher training and equipment, for the benefit of qualifying public schools (such as Lincoln Terrace Elementary School) located in low income areas. The City, as issuer of the bond, pays **no interest** to the holder of the QZAB, so it is an **interest-free loan** for the City. Instead of interest, the holder of the QZAB is entitled to a specified **tax credit** for each year it holds the QZAB. The amount of the tax credit applicable to any particular QZAB is fixed as of the date the City enters into a binding agreement with a purchaser to buy the QZAB, and is equal to the QZAB rate published by the federal government for that date (for example, the annual QZAB tax credit rate in effect on August 28, 2002 was 6.27%). The federal government also establishes the maximum permissible maturity for QZABs (it is currently 14 years). Thus, in essence, the federal government is subsidizing the entire interest cost of the loan with the tax credit. **The QZAB is a general obligation of the City and counts against the City's overall debt limit.** QZABs may only be purchased by banks, insurance companies and certain other financial companies.

Volume Limits. The law that provides for QZABs also limits the total amount of QZABs issuers in each state can issue in a calendar year. Further, at this time the law authorizing QZABs to be issued will expire after 2003, unless Congress extends the program for an additional period. Virginia's allocation of QZAB issuance authority for 2002 is approximately \$6.3 million. The Virginia Department of Education has the authority to allocate that QZAB issuance authority to local school boards, and has notified Roanoke City Schools that it has allocated \$800,000 of Virginia's 2001 QZAB issuance authority to Roanoke Academy. This allocation was carried over to 2002, so **the QZAB for Roanoke Academy must be issued by December 31, 2002**, otherwise the allocation will lapse and does not carry over to 2003. The state will have additional QZAB issuance authority for 2002 and 2003 to allocate to localities, but the City would have to reapply and there is no assurance of receiving an additional QZAB allocation from the Department of Education this year or in 2003.

Private Business Contribution Requirement. One of the requirements applicable to QZABs is that the school for which the QZAB will be issued must obtain **written commitments from private businesses and individuals for contributions** of certain goods and services with a combined present value of at least 10% of the amount of the QZAB. In the case of Lincoln Terrace Elementary School QZAB, this means that Lincoln Terrace Elementary School must obtain at least \$80,000 in commitments for private contributions of goods and services in order to be able to issue the proposed \$800,000 QZAB. To date, Lincoln Terrace Elementary School has received written commitments for goods and services from individuals and businesses totaling approximately **\$110,000**, so **this requirement has been satisfied.**

The Lincoln Terrace Elementary School QZAB. The QZAB to be issued for Lincoln Terrace Elementary School will be in the principal amount of \$800,000 and will be used to rehabilitate, repair and/or equip the school. The QZAB will be sold to Bank of America, N.A. for a price equal to the face amount of the bond. The City will make annual sinking fund payments equal to one fourteenth of the principal amount of the bond. The sinking fund payments will be used at maturity (the fourteenth anniversary of the date of issuance) to pay the principal of the bond. **There are no interest payments.**

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION (i) stating the intent of the City of Roanoke, Virginia (the "City") to issue "qualified zone academy bonds" and other debt obligations to finance the rehabilitation, repair and/or equipping of the present school building at Lincoln Terrace Elementary School; and (ii) authorizing and directing publication of a notice of public hearing to be held in connection with the proposed qualified zone academy bond issuance.

WHEREAS, pursuant to a resolution adopted on October 9, 2001, the School Board (the "School Board") for the City has determined that it is necessary to rehabilitate, repair and/or equip Lincoln Terrace Elementary School (the "Project"); and

WHEREAS, in order to finance the Project, the City reasonably expects to issue debt obligations; and

WHEREAS, the City intends to issue a portion of the debt obligations for the project as "qualified zone academy bonds" within the meaning of Section 1397E of the Internal Revenue Code; and

WHEREAS, in Resolution No. 35606-101801, adopted October 18, 2001, the Council of the City authorized the School Board to undertake the Project and authorized and directed the City Manager or an Assistant City Manager to file an application with the Virginia Department of Education seeking an allocation of authority to issue the City's general obligation qualified zone academy bonds pursuant to the Public Finance Act and Section 1397E of the Internal Revenue Code in an amount not to exceed \$1,100,000 (the "QZA Bonds") to finance a portion of the cost of the Project; and

WHEREAS, the City has obtained an allocation from the Virginia Department of Education of authority to issue the City's QZA Bonds in a principal amount of \$800,000; and

WHEREAS, under Section 15.2-2606, a public hearing is required before the QZA Bonds may be issued;

BE IT RESOLVED by the Council of the City of Roanoke that:

1. In accordance with U.S. Treasury Regulations § 1.1397E-1T(h) and § 1.150-2, it is hereby declared that the City reasonably expects to reimburse expenditures for the Project with proceeds of debt to be incurred by the City. The maximum principal amount of QZA Bonds expected to be issued for the Project is \$800,000, and the maximum principal amount of other debt (exclusive of the QZA Bonds) expected to be issued for the Project is \$1,300,000.

2. This is a declaration of official intent under U.S. Treasury Regulations § 1.1397E-1T(h) and § 1.150-2.

3. The City Clerk is hereby authorized and directed to publish in accordance with applicable law a public notice of hearing in connection with the proposed QZA Bonds to be held on October 15, 2002.

4. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following recorded vote:

	<u>AYE</u>	<u>NAY</u>
Ralph K. Smith, Mayor	—	—
C. Nelson Harris, Vice-Mayor	—	—
William D. Bestpitch	—	—
William H. Carder	—	—
M. Rupert Cutler	—	—
Alfred T. Dowe, Jr.	—	—
Linda F. Wyatt	—	—

Attest:

City Clerk



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. For the National League of Cities Conference to be held on December 7, 2002, in Salt Lake City, Utah, and any Business Meetings in connection with such Conference, _____ is hereby designated Voting Delegate, and _____ is hereby designated Alternate Voting Delegate on behalf of the City of Roanoke, Virginia.

2. Mary F. Parker, City Clerk, is directed to take any action required by the National League of Cities with respect to certification of the City's official Voting Delegate and Alternate Voting Delegate.

ATTEST:

City Clerk.